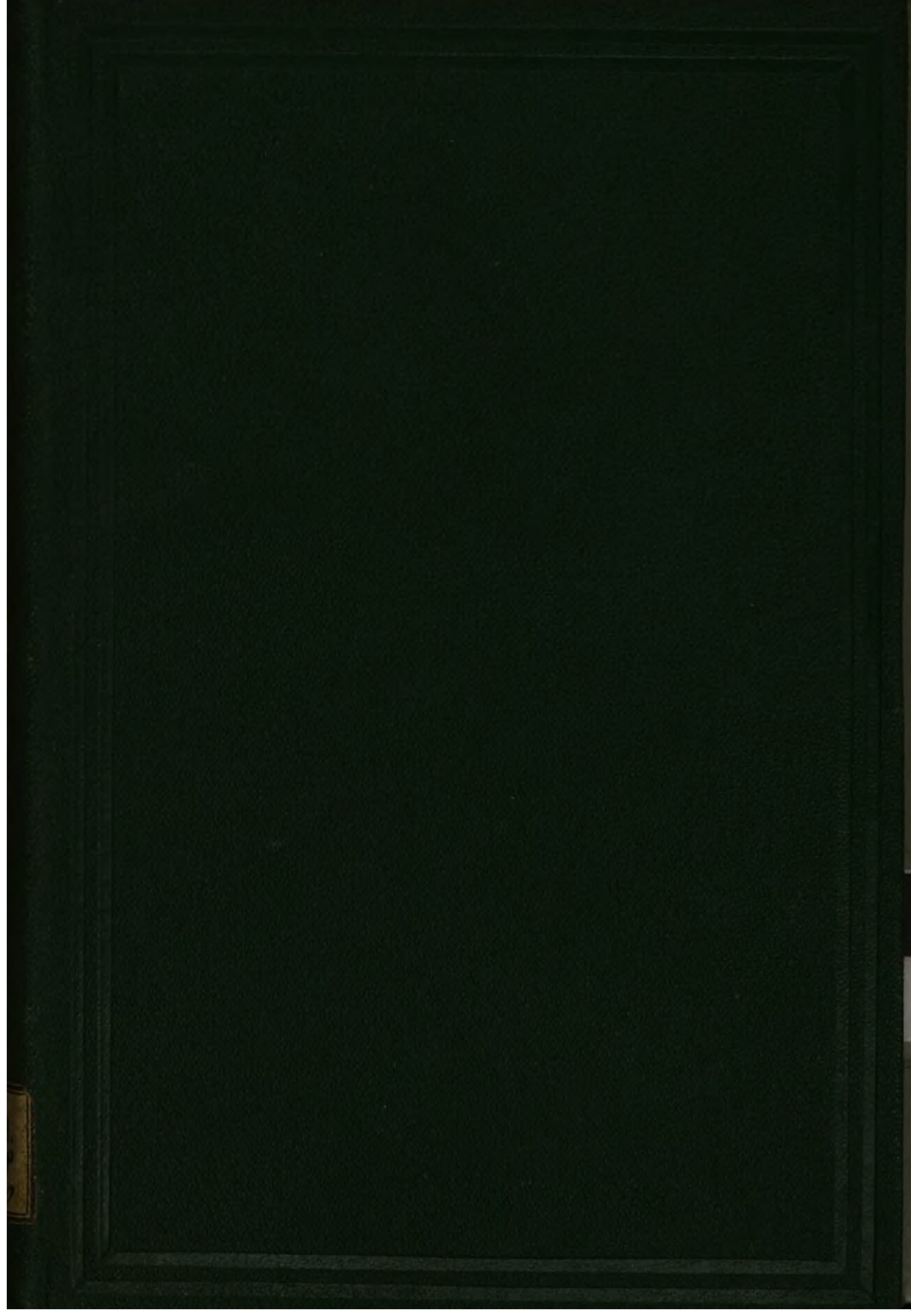




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THE CHURCH IN IRELAND.

TWO LECTURES DELIVERED IN THE METROPOLITAN HALL,
BEFORE THE YOUNG MEN'S CHRISTIAN ASSOCIATION,
IN CONNEXION WITH THE UNITED CHURCH OF
ENGLAND AND IRELAND,

On the 27th of April and 3rd of May, 1865.

BY THE
RIGHT HON. JAMES WHITESIDE, M.P.

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At the request of the Committee of the Young Men's
Christian Association, I have revised the Lectures delivered,
for publication.

J. WHITESIDE.

May. 1865.

THE CHURCH IN IRELAND.

MR. CHAIRMAN AND GENTLEMEN,

I HAVE been requested by your Committee to deliver a lecture upon the Church—a vast and momentous subject. I felt it to be my duty to comply with the request, because the subject affects an association that emanates from the Church; because it involves the fate of Protestantism in this country, of which it is a bulwark; because it is a child of the Reformation; because it is planted in the soil, and cannot be uprooted without a social and political convulsion; and, above all, because it is dear to our hearts.

It had been fondly imagined we had reached a peaceful period in our history—that a generous emulation would seize the minds of all classes amongst us to contend with each other who could serve their country best; that, in the glorious race of patriotism, the truest friend of Ireland might win the prize. Alas! my friends, we have been

sadly disappointed. A meeting was convened in this city, and a programme for future political action was submitted by a learned prelate (an archbishop in the Church of Rome, holding, it is asserted, the commission of Papal Legate in this kingdom), and accepted by those assembled on that occasion. A chief place in the programme was assigned to the resolution demanding the overthrow of the Church Establishment in Ireland, the confiscation of its revenues, and the spoliation of its ancient possessions. From the moment that revolutionary principle was enunciated by such high authority, a series of attacks have been made upon the Church in Ireland, by speeches, by the press, and, finally, in the Imperial Parliament.

The demand of the Legate has been re-echoed: the Church in Ireland established is said to be the greatest anomaly in the world. It is the Church of the minority in one part of the United Kingdom; it offends the sentiment of the Roman Catholic population; it has got possession of the lands, glebes, and rents, which are said to have belonged to the Church of Rome. We should either have the Roman Catholic Church established, or, as some say, what might be better, have not any; and, therefore, upon the whole, the Establishment must be levelled in the

dust; the glebes and the dwellings of the clergy seized as vacancies occur; the lands of the Church sequestered; the fabrics of the Church, perhaps, allowed to the Protestants, or perhaps converted to purposes of public utility, such as factories or madhouses; and a principle of religious equality, so-called, introduced, by which we might re-arrange the Constitution without any form of religion to be established or preferred.

I think I have fairly stated the creed of our modern political philosophers; it is in effect a proposal to revolutionize the existing Constitution, and form one after a new pattern sketched in Rome. The maintenance of these opinions is not confined to the rash or to the unthinking, to the ignorant or to the bigot; an active party within the walls of Parliament adopt and repeat them; and within the last few days they hailed with acclamations the opinions expressed by Mr. Gladstone, a statesman of great abilities, high position, and surpassing eloquence—opinions justly considered to be unfavourable to the maintenance of our Church, under its ancient parochial system.

A numerous and active party naturally point at the man of genius to lead the assault against the Church in Ireland, preliminary to the grand and final assault to be made

upon the same Church in England. The signs of the times seem to be more lowering still. It was believed to have been settled at the Revolution that ministerial responsibility thenceforward should mean that each member of the Cabinet was responsible for the conduct or misconduct, for the opinions, declarations, and acts of every other member of the same Cabinet, upon fundamental questions. Lord Macaulay, in his history, is emphatic upon the value of this constitutional triumph of principle, which he insists was effected by the Whigs at the Revolution. His words are:—

“In Parliament the ministers are bound to act as one man in all questions relating to the Executive Government. If one of them dissents from the rest in a question too important to admit of compromise, it is his duty to retire.”

But now it would appear that one minister may avow opinions fatal to the existence of the Established Church in Ireland; another may avow opinions favourable to its continuance; and both remain members of the same Cabinet, unaffected by their difference of opinion upon a vital subject. We cannot pause to inquire whether this arises from weakness, indifferency, or necessity.

Under such a combination of seemingly

adverse circumstances, it may not be unserviceable that Protestants attached to their Church should assemble themselves together, consider their position, investigate the history of their Church, its relation to the monarchy, to the laws, constitution, and settlement of property within this kingdom; should ascertain what are the solemn obligations resting on those who now assault the Church, and what would be the consequence of the success of their avowed designs.

Enthusiasm to destroy should be met by enthusiasm to preserve, but it has been always observed that the attacking party has the advantage in the strife, that property is sluggish, and long possession renders men cold and apathetic. I think, however, the daring schemes and revolutionary policy, now propounded, will have the effect of uniting all classes of Protestants within this kingdom into a common bond of sympathy and feeling, resulting in a resolution to maintain what is the safeguard of their liberties, and defence of their common faith. Nor will the true-hearted Protestants of Ireland be left without friends and leaders in Parliament, who will be found true to their principles and steadfast in their policy; and we shall see that men, not the least eloquent or distinguished in the Senate, will

be ready, on the first opportunity, to use the talents which God has given them in defence of a branch of His pure Church, inspired by a leader, who is at once a statesman, a consummate orator, and a poet. We, therefore, abate nothing of hope or courage in the good old cause.

“The condition of a Church,” writes Canon Wordsworth, “wherever that Church may be, is a sacred and solemn thing. A Church is a golden candlestick, whose light has been kindled by Christ. He walks near it. His eye is upon it. He watches over it. He vouchsafes to represent its angels as stars in his own right hand. *Touch not mine anointed, and do my prophets no harm. He that toucheth you, toucheth the apple of mine eye.* Hence every Church, as a Church, has a claim to the reverence of all Christians. And in the present case, in regard to the Church in Ireland, this claim is strengthened by special ties, civil and religious. As kingdoms, England and Ireland are one. As Churches, they stand side by side. If one of the candlesticks is removed, the other, it is probable, will not long remain. If the light of the one is pure, and streams forth in full lustre, that of the other will burn brightly also. Therefore, on the ground of our common nationality, and common Christianity, we may well feel a deep interest in the subject before us.”

These are just and solemn reflections of the eminent English divine, preaching, on the Church of Ireland, in Westminster Abbey.

Let us inquire what was the character and teaching of the ancient Church in Ireland, and wherein do we of the Established Church fall short of apprehending the primitive truths taught in the time of Catholic purity. Can we fairly prove that we inherit the ancient faith taught in Ireland; and that we, by regular and unbroken succession, derive our episcopacy and orders from the bishops of that ancient Church. Canon Wordsworth thus puts the question:—

“For a long time, the advocates of Romanism in Ireland have been commonly permitted to appropriate to themselves the venerable and attractive words ‘the old Religion,’ ‘the ancient Faith,’ ‘the Church of the Fathers.’ Thus, many among ourselves have been led to imagine that these phrases are synonymous with the Religion and the Church of Rome. On this ground, some have gone so far as to affirm, that to encourage and endow Romanism in Ireland, would be only a work of justice, and an act of restitution. And, on the same principle, it has been asserted by some, that the hundreds and thousands of Irish who have recently renounced the errors of Rome, have, by so doing, abjured

the faith of their fathers, and have embraced a new religion. It is time that the light of history should dispel these illusions. It is time that they who hold this language should be called upon, in the name of Him who is the Truth, to substantiate what they say. *Produce your cause, saith the Lord: bring forth your strong reasons.* Let us not have assertions, but proofs. Let them show, if they can, that the Bishop of Rome exercised supreme authority in Ireland for a thousand years after Christ. Are they able to do so? No; the truth is—and it is time that the truth should be known by all—that Romanism in Ireland is a new religion; that it came in by stealth, in an age of darkness; and that the renunciation of the Papal supremacy is not an act of apostacy (Heaven forbid!), but a right and necessary exercise of Christian liberty; and if it be coupled, as it ought to be coupled, with the reception of Holy Scripture (interpreted by antiquity), as the supreme standard and all-sufficient Rule of Faith, then it is a blessed *return* to the *Old Religion* of ancient Ireland, the religion of the Island of the Saints, in her purest and happiest days."

As to doctrine. I am not aware there is extant any statement comparable to the Discourse on the Religion anciently professed by the Irish and British, published in 1631, from the pen of that profound scholar and apostolic prelate, James Ussher, Arch-

bishop of Armagh. This great scholar thus wisely expresses himself:—

“In judging of the religion of our ancestors, we are not to build our conclusions upon every single proposition, whether they either agree with or dissent from us, but upon the main bulk of the substantial points of doctrine which are controverted betwixt us at this day.”

It is confirmatory of our faith, to read again what the same great writer says:—

“I do not deny but that in this country, as well as in others, corruptions did creep in by little and little, before the devil was let loose to procure that seduction which prevailed so generally in these last times; but as far as I can collect, by such records of the former ages as have come unto my hands (either manuscript or printed), the religion professed by the ancient bishops, priests, monks, and other Christians in this land, was for substance the very same with that which now, by public authority, is maintained therein, against the foreign doctrine brought in thither, in latter times, by the Bishop of Rome’s followers. I speak of the more substantial points of doctrine, that are in controversy betwixt the Church of Rome and us at this day, by which only we must judge, whether of both sides hath departed from the religion of our ancestors: not as matters of inferior note, much less of ceremonies and such other things as

appertain to the discipline, rather than to the doctrine of the Church."

The first chapter of Ussher treats of the holy Scripture. "The first quotation from Sedulius, one of the most ancient writers that remaineth of this country, hath delivered for the meaning of the rule laid down by St. Paul, 'Be not unwise, but understanding what the will of God is,' this interpretation—'Search the law, in which the will of God is contained;'" and then, having shown that the practice of our ancestors differed not from this judgment, Ussher adds:—

"Long before this time, it was the observation which St. Chrysostom made of both these islands: that 'although thou didst go unto the ocean, *and those British Isles*, although thou didst sail to the Euxine Sea, although thou didst go unto the southern quarters, thou shouldst hear *all* men everywhere discoursing matters out of the SCRIPTURES, with another voice indeed, but not with another faith, and with a different tongue, but with an according judgment.'"

I think every good Protestant agrees in the vital and fundamental principle contained in what has been just quoted, as it was maintained in the time of the primitive purity of the Catholic faith. The old true doctrine of

the Irish Christians on justification by faith is thus stated:—

“That God hath so ordered, that He will be gracious to mankind, if they do believe that they shall be freed by the blood of Christ ; that, as ‘the soul is the life of the body, so faith is the life of the soul ;’ and that we live ‘by faith only, as owing nothing to the law ;’ that ‘he who believeth in Christ, hath the perfection of the law.’”

This is most comforting to read. We have in these and other passages the very doctrine which the Bishop of Ossory would preach, and has preached, in his masterly discourses on justification by faith.

Touching purgatory, we have this conclusive statement and quotation:—

“Hitherto, also, may be referred that ancient canon of one of our Irish synods, wherein it is affirmed, that the soul being separated from the body, is ‘presented before the judgment-seat of Christ, who rendereth its own unto it, according as it hath done ;’ and that ‘neither the archangel can lead it unto life, until the Lord hath judged it, nor the devil transport it unto pain, unless the Lord do damn it ;’ as the sayings of Sedulius, likewise, that after the end of this life, ‘either death or life succeedeth,’ and that ‘death is the gate by which we enter our kingdom ;’ together with that of Claudius, that

‘ Christ did take upon him our punishment without the guilt, that thereby he might loose our guilt, and FINISH also our punishment.’ ”

If an Irish synod held and laid down that faith, they laid down ours this day. Touching the worship of God, St. Sedulius (Ussher shows) delivered this general rule, that “to adore any other beside the Father, and the Son, and the Holy Ghost, is the crime of impiety;” and that “all that the soul oweth unto God, if it bestow it upon any beside God, it committeth adultery.” More particularly, in the matter of images, he reproveth the wise men of the heathen for thinking that they had found out a way “how the invisible God might be worshipped by a visible image;” with whom also accordeth Claudius, that “God is to be known neither in metal nor in stone;” and for oaths, there is a canon ascribed to St. Patrick, wherein it is determined that “no creature is to be sworn by, but only the Creator.”

What more sound doctrine could we desire to read or know upon these heads! It is not surprising to find that Ireland was called the “Isle of Saints.”

The exposition of the sacraments is terse and conclusive. Under the head of marriage of the clergy, we read:—

“ Concerning single life, I do not find in any of our records, that it was generally imposed upon the clergy, but the contrary rather. For in the synod held by St. Patrick, Auxilius, and Isserninus, there is a special order taken that their wives shall not walk abroad with their heads uncovered. And St. Patrick himself confesseth (at leastwise the Confession which goeth under his name saith so, and Probus, Jocelinus, and others that write his life, agree therewith), that he had to his father Calphurnius a deacon, and to his grandfather Potitus a priest.”

Therefore, St. Patrick was in favour of the clergy entering into holy matrimony, as St. Peter himself was a married man. Upon this subject of the marriage of the clergy of the ancient Church in Ireland, I once quoted from a law book of the greatest authority, that is, from Lord Coke (you have heard of “Coke upon Littleton”), who wrote in the time of Elizabeth and James, with more learning in his head than any lawyer that ever lived. In the 4th Institute, c. 76, p. 356, in his Essay on the Kingdom of Ireland, in discussing the ancient laws, history, and Parliament of Ireland, he writes:—

“ At a synod holden in Ireland by Saint Patrick, their Apostle, it was unanimously agreed that Irish priests should have wives.”

This quotation, which is indisputable, exposed me to censure, contained in a book published by the Rev. Mr. Gaffney, which the author had the courtesy to send me. He criticises Judge Keogh for having, in a judicial decision, expressed himself to the like effect.* I did not argue that the celibacy of the clergy was matter of faith, as my critic supposed, but I argued and proved that there was anciently an independent authority existing in Ireland—a synod in which, and by which authority, a very important matter of discipline was decided, in direct opposition to the discipline and authority of the Church of Rome; and further, I quoted my authorities to show that our discipline to-day is the discipline of the ancient Catholic Church in Ireland on the celibacy of the clergy.

All these matters we submit to our Roman Catholic fellow-countrymen, not in the heat of controversy, but with affection and respect.

We proceed with our illustrious guide to another head of our discourse:—

“And now are we come at last to the great point, that toucheth the head and the foundation of the Church. Concerning which Sedulius

* The learned judge discusses all such questions in a large, tolerant, and catholic spirit.

observeth that the title of *foundation* is attributed both to Christ, and to the apostles and prophets ; that where it is said, '*Behold, I lay in Zion a stone, &c.*', it is certain that by the rock or stone Christ is signified ; that 'the apostles are the foundation, or Christ rather the foundation of the apostles. For Christ (saith he) is the foundation, who is also called the corner stone, joining and holding together the two walls. Therefore is he the foundation and chief stone, because in him the Church is both founded and finished ;' and we are to account the apostles 'as ministers of Christ, and not as the foundation.' The famous place whereupon our Romanists lay the main foundation of the Papacy, Claudius expounded in this sort : '*Upon this rock I will build my Church,*' that is to say, upon the Lord and Saviour, who granted unto his faithful knower, lover, and confessor, the participation of his own name, that from Petra (the rock) he should be called Peter. The Church is built upon him : because, only by the faith and love of Christ, by the receiving of the sacraments of Christ, by the observation of the commandments of Christ, we come to the inheritance of the elect and eternal life, as witnesseth the apostle, who saith, *other foundation can no man lay, beside that which is laid, which is Christ Jesus.*"

As to the appointment of bishops by kings:—

“Now to go forward:—as the kings and people of this land, in these elder times, kept the nomination of their archbishops and bishops in their own hands, and depended not upon the Pope’s provisions thus away; so do we not find by any approved record of antiquity that any visitations of the clergy were held here in the Pope’s name, much less that any indulgences were sought for by our people at his hand.”

As to references to Rome, for advice or counsel, Ussher says for himself:—

“Only this will I say, that as it is most likely that St. Patrick had a special regard unto the Church of Rome (from whence he was sent for the conversion of this island, *a statement disputed*), so, if I myself had lived in his days, for the resolution of a doubtful question, I should as willingly have listened to the judgment of the Church of Rome, as to the determination of any Church in the whole world, so reverend an estimation have I of the integrity of that Church, as it stood in those good days. But that St. Patrick was of opinion that the Church of Rome was sure ever afterward to continue in that good estate, and that there was a perpetual privilege annexed unto that See, that it should never err in judgment, or that the Popes’ sentences were always to be held as infallible oracles, that

will I never believe ; sure I am, that my countrymen, after him, were of a far other belief, who were so far from submitting themselves in this sort to whatsoever should proceed from the See of Rome, that they oftentimes stood out against it, when they had little cause so to do. For proof whereof I need to seek no further than to those very allegations which have been lately urged for maintenance of the supremacy of the Pope and Church of Rome in this country."

The difference betwixt the Romans and the Irish in the celebration of Easter, is the subject of an instructive chapter. Enough for our present purpose has been quoted to show the character and faith of the ancient Church of Ireland. A catalogue of the authors cited by Ussher is appended.

It appears Sedulius flourished in the year 490. Every assertion made by the scholar is proved by the words of truly Catholic writers ; and there can be, and there is, no mistake about the matter ; our Church is the old Church ; the old faith in Ireland is our faith : let us treasure it in our hearts, and practise it in our lives.

It is well now to conclude these brief references with the opinion and deliberate judgment of Edmund Burke upon the question of the faith held by the ancient Church

in Ireland, and taught by our Church this day. The mother and wife of Burke were Roman Catholics, and he was through life the advocate and friend of the Irish Catholics; he had a leaning towards their Church: therefore a more unprejudiced opinion could not be quoted, nor one more likely to prevail with the wise and learned of the land. It is believed that Burke studied this masterly essay of Ussher, and verified all his references for the satisfaction of his own mind. Having done so, the greatest man our University or our country ever produced, thus delivered his deliberate opinion:—

“The most able antiquaries are of opinion, and Archbishop Ussher, whom I reckon among the first of them, has I think shown that a religion not very remote from the present Protestant persuasion was that of the Irish before the union of that kingdom to the Crown of England. If this was not directly the fact, this at least seems very probable, that Papal authority was much lower in Ireland than in other countries.”

The learned Dr. O’Conor (Columbanus), with the candour of a scholar, attests the accuracy of Ussher, and declares that, having examined his references closely, he was never

able to detect the slightest inaccuracy or misquotation.

Ussher and Burke should suffice to influence the judgment of the discriminating scholar, as to what was the teaching of the ancient Catholic Church in Ireland. I have also mentioned a modern publication which I have referred to more than once with advantage. The volume of sermons preached in Westminster Abbey by Dr. Wordsworth, Canon of Westminster, and published with notes and appendix, teems with instruction upon the question of the teaching of the ancient Church in Ireland. Like a true logician, he proves every proposition, examines each authority he quotes, and arrives at undeniable conclusions. This well-read divine has the profoundest reverence for the ancient Catholic Church in Ireland, and brings out in the brightness of truth the doctrine held and taught by that Church, when in a state of apostolic purity. At the outset of his argument, he observes on the oft-repeated assertion that those who have renounced the modern Church of Rome embraced a new religion. He argues, no scholar did assert that before the English invasion, the Pope had exercised or claimed supreme authority over the Church in Ireland; and adds with truth:—

“We, my brethren, we Englishmen, were the first who, in the twelfth century, crippled the vigour, and sacrificed the liberties of the ancient Independent Church of Ireland. We brought it under subjection to Rome. We obscured the light of its candlestick.”

It is gratifying to find an English scholar thus expressing himself:—

“The mission of St. Patrick is one of the most interesting topics of Church history, and happily we possess trustworthy documents for ascertaining its character. The principal of these records is the work of St. Patrick himself, in his old age, and addressed to the people of Ireland, and entitled his *CONFESSION*.”

In what relation he, St. Patrick, stood to the See of Rome is discussed:—

“Hence we are again brought to the conclusion that St. Patrick was *not* sent by the Roman Church.”

The Creed or Confession of St. Patrick is stated:—

“There is no other God (he declares) besides God the Father, and His Son Jesus Christ, whom we confess to have been from everlasting with the Father, and who was begotten before all things, and by whom all things were made, visible and invisible, and who was made man, and

overcame death, and ascended into heaven to the Father. And God gave unto Him all power over every name in heaven and in earth, and under the earth, that every tongue should confess that Jesus Christ is the Lord and God. We believe in Him and expect that He will come again to judge the quick and dead, and will render to every man according to his works ; and He has poured out upon us abundantly the gift of the Holy Ghost, the judge of immortality, who maketh us to believe and obey, and so be the sons of God the Father, and so be fellow-heirs of Christ whom we confess ; and we adore one God in the Trinity of the sacred name.”*

Such is the Creed of St. Patrick, set down with his own hand, at the close of his long life, in the volume which he left as a bequest to the people of Ireland.

“What, therefore, shall we now say? With feelings of respect and affection, we address ourselves to our Roman Catholic brethren in the kingdom of Ireland. Take the Creed of St. Patrick in one hand, and take the Trent Creed, or Creed of Pope Pius IV., in the other ; place them side by side ; compare the two ; the Trent Creed, which Rome now imposes on all ecclesiastics, has added twelve articles to the Nicene

* The tract, entitled “The Confession of St. Patrick,” translated by the Rev. Thomas Olden, should be read by all candid inquirers.

Creed, which we hold, and it declares that belief in those twelve articles is necessary to everlasting salvation. It says :—‘ *Hoc est Catholica Fides, extra quam nemo salvus esse potest.*’ Now let us inquire. Do you find those twelve articles in the Creed of St. Patrick? One of those articles is an assertion of Roman Supremacy. Do you find that there? No. Another is obedience to the Pope. Do you find that there? No. Another is belief in Transubstantiation. Another is, belief in Purgatory. Do you find them there? No. Another is communion in one kind. Is that there? No. Do you find a single one of those twelve articles is necessary to salvation, and you denounce us as heretics and innovators, because we do not and cannot receive them. What! if all these are necessary, how is it that St. Patrick does not mention one of them? Was the Apostle of Ireland a heretic? If so, *we* are content to be heretics with him. We are satisfied with his Creed. We hold every article of it, and we leave it to you to consider, whether, if you are not content with St. Patrick’s Creed, you ought to claim St. Patrick as *your* Apostle—or if you desire to have St. Patrick as your Apostle, you ought not to be content with your Apostle’s Creed?”

Nothing can be added to this mode of putting the question. We stand on the Creed of St. Patrick; we believe it every word.

Then can we be accused of adopting or introducing a new religion?

The recapitulation of the whole argument upon this important subject is in these words:

“At the present day, Rome exercises great influence in Ireland. *But from the beginning it was not so.* We have seen from evidence adduced in previous discourses, that Christianity, in a pure apostolic form, was planted in Ireland early in the fifth century, and that for many centuries afterwards the Church of Ireland was free, and that it resisted all encroachments on its Christian liberty.

“It is a principle that wherever Rome has power she sends her Legate. When did she first send a Legate to Ireland? Not till the twelfth century. Does not St. Bernard narrate (and he was a friend of a Pope, and lived in the twelfth century), that the first Legate sent by her to Ireland was Gillebert, Bishop of Limerick, and when was that? *Not till the twelfth century after Christ.*

“No Synod was summoned by the Pope till the twelfth century. No pall was worn by an Irish archbishop till the middle of the twelfth century.”

Again :—

“Prior to that twelfth century, *i.e.*, from fifth to ninth, we see a bright constellation of Irish names illustrious for sanctity and learning.

But after the twelfth century, for more than three centuries in succession, we look for such luminaries in vain ; scarcely a single memorable name can be cited from that period. The sky was dark ; it was an age of gloom.

“ It seems as if the rise of the Roman power had been the signal of a general eclipse, intellectual, literary, and religious. We hear no more of strangers flocking to Ireland to study the Scriptures.”

SECOND EPOCH.

Romish Usurpation and the Irish Church.

The compact by which Ireland was bestowed by Pope Adrian on the King of England, Henry II., is contained in the Irish Act, 7th Edward IV., chap. 9, and is in these words:—

“ Whereas our Holy Father Adrian, Pope of Rome, was possessed of all the seignory of Ireland in his demesne as of fee in right of his Church of Rome, and to the intent that vices should be subdued and virtue encouraged, he aliened the same land to the King of England for a certain rent to be received in England, to hold to the King of England and his heirs for ever, by which grant the subjects of Ireland owe

their obedience to the King of England as their Sovereign Lord, as by the said Bull appears : it is therefore ordered that all Archbishops and Bishops of Ireland shall, upon the monition of forty days, proceed to the *excommunication of all disobedient subjects.*"

This amazing performance is cited by Wordsworth in a note, and is stated to have been first printed in Hardiman's edition of the Statute of Kilkenny. It recites, in effect, the subjection of the civil power to the hierarchy. This was an epoch of usurpation and degradation. The Church of Rome thenceforward aided the Crown of England, and the Crown upheld all the pretensions of the Pope, and (save as to appointments by Bulls within the kingdom) extended his power. The effect of this union between Crown and Pope upon Ireland, is stated in a very remarkable document, called "A Remonstrance of the Irish Chieftains," printed in full by Dr. Todd, in his excellent volume, entitled "The Life of St. Patrick," and addressed to Pope John XXII. The chiefs complain to his Holiness of the indignities and outrages heaped upon the *native clergy* by the invaders. The bishops had been imprisoned, and the native clergy expelled.

The argument of Dr. Todd, founded on this evidence, with other historical proof, is

that the Church of the English Pale was at first strongly supported by all the power of the Court of Rome, and that the Church of the native Irish was discountenanced and ignored by Rome, as well as by England. It is, under such circumstances, impossible to believe that the ancient native Church of Ireland and the Church of Rome were identical.

THIRD EPOCH.

The Reformation.

From the highly instructive book published by Dr. Todd, we find there were in fact three Churches in Ireland—the ancient Irish Church, the Church of the Danes, the Church of Rome, *the latest of the three*—and we now proceed to show how the rulers of that Church, the last importation, behaved when the doctrines of the Reformation first affected the world, and when a difference arose between the Crown of England and the Church of Rome.

A history of England has been written by Mr. Froude, full of information drawn from original sources and records, which lend to his volumes the attraction of novelty. This

author describes graphically the circumstances under which the Bible was, in 1536, printed in Antwerp by William Tyndale, "a man whose history is lost in his works, and whose epitaph is the Reformation." "He passed away in smoke and flame to his rest." The bishops complained to King Henry of this translation, as it appeared in print. His mind had been directed to the same subject, and he bid them roughly do it better themselves if they could. In the Hexapla will be found Tyndale's translation, which justifies Froude's criticism—

"The peculiar genius which breathes through it; the mingled tenderness and majesty; the Saxon simplicity; the preternatural grandeur, unequalled, unapproached, in the attempted improvements of modern scholars. All are here, and bear the impress of the mind of the man, William Tyndale."

The grand result of the translation of the Bible is briefly stated by the historian:—

"In this act (that is the heroic work of Tyndale) was laid the foundation-stone on which the later history of England, civil as well as ecclesiastical, has been reared."

We are now chiefly concerned with the history of our Church; but the state of

Ireland before the struggle for supremacy, which followed the translation of the Bible, is described in the eighth chapter of the second volume of Mr. Froude's history, written in the style of a political romance.

To our immediate subject. The quarrel with Rome began, not concerning fasts, ceremonies, and worship, *but for supremacy*. King Henry declared he would be a whole king—within his dominions supreme. The Court of Rome mildly proposed that he should be *half a king*: he might have jurisdiction in things temporal, *but* not in things ecclesiastical; what was temporal and what spiritual the Pope would decide. The principle involved in the dispute is of as much importance to-day as it was in 1534. It was a question of jurisdiction. The assertion of kingly authority was the symbol of the independence of England; and the declaration that thenceforth the civil magistrate must be supreme within the English dominions, in regard to Church as well as State, was the proclamation of our civil and religious liberties. This became the great question of the age, because the denial or acceptance of the supremacy of the Crown became afterwards the test of allegiance or disloyalty.

The Title of Head of the Church assumed by King Henry.

In the Act of Supremacy, 26th Henry VIII., it is declared that the King's Majesty, justly and rightly is, and ought to be, the supreme head of the Church of England. Considerable sarcasm has been levelled at the assumption by Henry of this title; and on the accession of Elizabeth, she wisely satisfied herself by keeping the authority, while she relinquished the designation. But when rightly understood there was nothing in the title to cause offence to the scrupulous Roman Catholic. To prevent misconception, an explanatory document was drawn up by the Government at the time of the passing of the Act, which is curious and instructive. It is given in full in the notes on chapter nine of Froude's second volume, wherein he treats of the Act of Supremacy:—

“The King's Grace,” says this paper, “hath no new authority given hereby, that he is recognised as the supreme head of the Church of England, for in that recognition is included only that he have such power as to a king of right appertaineth by the law of God, and not that he should take any spiritual power from spiritual ministers, that is given to them by the Gospel.”

It is then stated that the object of the Act was "to put away the power of Rome," adding, with much good sense: "There is none authority of Scripture that will prove that any one of the apostles should be head of the universal Church of Christendom."

This subject, so necessary to be understood by the students of history, and by the members of our Church, has been admirably illustrated by the learned and impartial Roman Catholic writer, Doctor O'Connor (Columbanus):—

"The object of the Act of Supremacy was to restrain the exercise of illegal jurisdiction, and to confine within due limits the arbitrary proceedings of men who, *under pretence of religion*, claimed a power of exclusively deciding *in all matters*, whether mixed or unmixed, relating to the Church; men who claimed exemption from the law courts, pretending that they could be judged only by the Pope—who frequently made the very sacraments subservient to their passions, forbidding divine service, and interdicting the benefits of Christianity to all those who refused to comply with their arbitrary injunctions and decrees."

The above exposition of the Act of Supremacy is honestly given; and by the pen of this Roman Catholic scholar we are taught that nothing more was meant thereby than

to restrain the *abuses* of spiritual power by confining that power to its original intention.

A new scene opens with the renunciation of the Pope's usurped authority. The Oath of Supremacy being merely intended to annul the Pope's jurisdiction within this realm, was explained in the reign of Elizabeth to mean that the absolute dominion of the king of these realms, as to all civil and religious rights, was perfectly reconcilable with the doctrines of Catholicism. The point aimed at was the exclusion of any foreign power from exercising any jurisdiction within the realm.

The title of "Head of the Church," which was said to have given offence to Roman Catholics, was laid aside, and that of "*only supreme Governor of this Realm*" was substituted in its stead. The same Reverend Dr. O'Connor observes upon the change of title:—

"This last is the only title which our kings have ever since assumed ; and it is a mark of vile *dishonesty* on the part of our foreign influenced writers that they represent the title of '*Head of the Church*' as still used in the diplomatic language of our kings. But they are shamefully lost to every sense of decorum in this respect, insensible of the sacredness of

truth, in many instances, absolute strangers, and in others, affectedly ignorant of the laws and constitution of their country."

I have quoted this excellent criticism, because I have myself heard in Rome the offensive allegation, that "a woman was the Head of the English Church."

The 37th Article of the Church of England and Ireland clearly establishes this construction, and I shall read it to prove the accuracy of my statement:—

"The Queen's Majesty hath the chief power in this realm of *England*, and other her Dominions, unto whom the chief Government of all Estates of this Realm, whether they be Ecclesiastical or Civil, in all causes doth appertain, and is not, nor ought to be, subject to any foreign Jurisdiction.

"Where we attribute to the Queen's Majesty the chief Government, by which Titles we understand the minds of some slanderous folks to be offended; we give not to our Princes the ministering either of God's Word, or of the Sacraments, the which things the Injunctions also lately set forth by *Elizabeth* our Queen do most plainly testify; but that only prerogative, which we see to have been given always to all godly Princes in holy Scriptures by God himself; that is, that they should rule all estates and

degrees committed to their charge by God, whether they be Ecclesiastical or Temporal, and restrain with the civil sword the stubborn and evil-doers.

“The Bishop of *Rome* hath no jurisdiction in this realm of *England*.”

The exposition of the Article, and the act of admonition of Elizabeth, explaining the same, will be found fully and logically stated in the masterly speech of Lord Plunket, in March, 1821, upon the occasion of introducing the bill for the Emancipation of the Roman Catholics. In that speech he asserted—manifestly speaking from authority—that the Roman Catholic laity were willing to take the Oath of Supremacy, as explained; to leave untouched religious belief, while asserting the supreme jurisdiction of the Crown in all courts and causes, civil and ecclesiastical.

In order that the subsequent tyrannical conduct of the Papacy upon this very subject of the Oath of Supremacy may be thoroughly understood, I quote the following passage from the historical work of Dr. O’Conor:—

“The Oath of Supremacy was approved of, and taken in the years 1532, 1533, and 1534, by the whole body of bishops and clergy of

England, *in Convocation*, before any Reformation of religion was talked of in either country. *Lynch*, of Galway, says that it was taken by the Irish chiefs in 1542, 1543, and 1544. Sir J. Davies agrees. The Earl of Desmond took it in 1540. O'Connor and O'Dun followed his example in 1542. O'Donnel's Indenture, confirmed by the same oath, is dated August 6, 1542. *Quod renuntiabit, relinquet, et ad nihilabit, pro posse suo, usurpatem auctoritatem, et Primaciam Romani Pontificis.* *Mac Mahon's*, in the same words, is dated August 14, 1542. *O'Neal* came to Maynooth in January, 1543, and pursued the same course. Most of the other chiefs followed his example in the course of that year. *O'More's* Indenture is dated May 13, 1543; *O'Kelly's*, Abbot of Knockmoy, May 24; *O'Rourke's*, September 1, 1543. Can facts be refuted?—Is history a fairy tale?"

From the foregoing facts and arguments, you can easily perceive that the dispute created about this oath by the Court of Rome was not for conscience sake, but for power and jurisdiction. The conscientious loyal Roman Catholics could well take the oath which released the State from Papal domination.

We may turn to the history of the Church in Ireland, and trace the course of the dispute between the Court of Rome and the Crown for supremacy.

We propose practical questions :—What course should have been taken at this epoch by the bishops of the only Church which then existed in Ireland? What course was taken by Henry, and the consequences?

We turn, in solution of these questions, to another Roman Catholic author, Mr. D'Alton, who was a lawyer, an antiquary, and a scholar, and wrote the Lives of the Archbishops of Dublin. I give his account of what passed in our city, on the great occurrence when our Reformation began. It is derived from the communication addressed by Browne, then Archbishop of Dublin, to the President of the Council in England:—

“My most honoured lord,—Your humble servant, receiving your mandate as one of his highness's commissioners, hath endeavoured, almost to the danger and hazard of this temporal life, to procure the nobility and gentry of this nation to due obedience in owning of his highness their supreme head, as well spiritual as temporal, and do find much oppugning therein, especially by my brother, Armagh, who hath been the main oppugner, and so hath withdrawn most of his suffragans within his see and jurisdiction. *He made a speech to them, laying a curse on the people whosoever should own his highness's supremacy, saying, that isle, as it is*

in their Irish chronicles 'insula sacra,' belongs to none but the Bishop of Rome, that gave it to the king's ancestors. . . . Your lordship may inform his highness, that it is convenient to call a parliament in this nation to pass the supremacy by act; for they do not much matter his highness's commission, which your lordship sent us over. This island hath been for a long time held in ignorance by the Romish orders; and as for their secular orders, they be in a manner as ignorant as the people, being not able to say mass or pronounce the words, they not knowing what they themselves say in the Roman tongue. . . . I send to you, my very good lord, these things, that your lordship and his highness may consult what is to be done. It is feared O'Neill will be ordered by the Bishop of Rome to oppose your lordship's order from the king's highness, for the natives are much in number within his power. I do pray the Lord Christ to defend your lordship from your enemies."

FOURTH EPOCH.

The Dispute for Supremacy.

Doctor George Browne, Provincial of the Order of Augustinian Friars, had been regularly elected and consecrated Archbishop of Dublin. He, being loyal as he was learned, was in favour of the admission

of the supremacy of the Crown, and the exclusion of the foreign jurisdiction. Dowdall, the Archbishop of Armagh, being the creature of Rome, was for the supremacy of the Pope. The communication from Browne, Archbishop of Dublin, to Lord Thomas Cromwell, then Lord Privy Seal, and who exercised, or asserted, the rights of the king's supremacy, discloses to us, as completely as if we had been present, what passed in the Council in Dublin amongst the bishops of our Church.

The allusion to O'Neill is remarkable, and proves how the Archbishop feared an internal rebellion might be the consequence of repressing external Papal jurisdiction. His anticipations were verified by the event.

When the Act of Supremacy was brought before the Irish Parliament, Archbishop Browne supported it strenuously, arguing, as D'Alton reports:—

“Rome and her bishops, in the Fathers' days, acknowledged emperors, kings, and princes to be supreme over their dominions, nay Christ's own vicars; and it is much to the shame of the Bishop of Rome, to deny what the preceding bishops of that See owned. Adding, that he would himself, without scruple, guile of innocence, or sin to God, vote the king supreme

over ecclesiastical, as well as temporal matters, and head thereof, even of both isles, England and Ireland ; while he concluded with the characteristic argument, that he who refused his assent to pass the act could be no true subject of the king."

We have next the instructions for prayer, issued by the Archbishop to the incumbents and curates of the diocese of Dublin. This declaration has, in addition to its other merits, an historic value, and therefore I quote it :—

" You shall pray for the Universal Catholic Church, both quick and dead, and especially for the Church of England and Ireland. First for your Sovereign Lord the King, supreme head on earth immediate under God of the said Church of England and Ireland. And for the declaration of the truth thereof you shall understand, that the unlawful jurisdiction, power, and authority, of long time usurped by the Bishop of Rome in England and Ireland, who then was called Pope, is now by God's law justly, lawfully, and upon good grounds, reasons, and causes, by authority of parliament and by and with the whole consent and agreement of all the bishops, prelates, and both the universities of Oxford and Cambridge, and also the whole clergy both of England and Ireland, extinct and ceased for ever, as of no strength, value, or effect in the

Church of England or Ireland. In the which Church the said whole clergy, bishops, and prelates, with the universities of Oxford and Cambridge, have, according to God's law and upon good and lawful reasons and grounds, acknowledged the king's highness to be supreme head on earth immediately under God of this Church of England and Ireland, which their knowledge confessed being now by parliament established, and by God's laws justifiable to be justly executed, so ought every true Christian subject of this land not only to acknowledge and obediently recognise the king's highness to be supreme head on earth of the Church of England and Ireland; but also to speak, publish, and teach their children and servants the same, and to show unto them how that the said Bishop of Rome hath heretofore usurped not only upon God, but also upon our princes. Wherefore and to the intent that ye should the better believe me herein, and take and receive the truth as ye ought to do, I declare this unto you not only of myself, which I know to be true, but also declare unto you that the same is certified unto me from the might of my ordinary, the Archbishop of Dublin, under his seal, which I have here ready to show you, so that now it appeareth plainly, that the said Bishop of Rome hath neither authority nor power in this land, nor never had by God's laws; therefore I exhort you all, that you deface him in all your primers and other books where he is named Pope, and that you shall have from

henceforth no confidence nor trust in him, nor in his bulls or letters of pardon, which before time with his juggling casts of binding and loosing he sold unto you for your money, promising you therefore forgiveness of your sins, when of truth no man can forgive sins but God only ; and also that ye fear not his great thunder claps of excommunication or interdiction, for they cannot hurt you, but let us put all our confidence and trust in our Saviour Jesus Christ, which is gentle and loving, and requireth nothing of us when we have offended him, but that we should repent and forsake our sins, and believe steadfastly that he is Christ, the Son of the living God, and that he died for our sins, and soforth, as it is contained in the Credo ; and that through him and by him, and by none other, we shall have remission of our sins, "*a pœnâ et culpâ,*" according to his promises made to us in many and divers places of Scripture."

The ignorance of the lower clergy is described in a letter from the Archbishop to the Lord Cromwell :—

"The people of this nation are zealous, yet blind and unknowing ; most of the clergy, as your lordship hath had from me before, being ignorant and not able to speak right words in the mass or liturgy, as being not skilled in the Latin grammar, so that a bird may be taught to speak with as much sense as several of them do

in this country. These sorts, though not scholars, yet are crafty to cozen the poor people, and to dissuade them from following his highness's orders. . . . The Romish relics and images of both my cathedrals in Dublin took off the common people from the true worship, but the prior and the dean find them so sweet for their gain that they heed not my words."

The answer to the acknowledgment of the king's supremacy, was a bull of excommunication from the Pope against all who should maintain the king's supremacy. We have next an authentic statement of what the Pope claimed as jurisdiction, and how right King Harry was in striking off the incubus on his power. Mr. D'Alton has given us the communication from Archbishop Browne to the Lord Privy Seal, which narrates the whole affair. We have next the incentive to rebellion in the commission issued to O'Neill, and referred to in the letter seized on the person of a Franciscan friar. Its style confirms the fears of Archbishop Browne. It purports to be written by the Bishop of Meath to O'Neill, and is in these words :—

"My son, O'Neill, thou and thy fathers were all along faithful to the mother Church of Rome. His holiness Paul, now Pope, and the council of

the Cardinals there, have lately found out a prophecy there remaining of one St. Laserianus, an Irish Bishop of Cashel, wherein he said, 'that the mother Church of Rome falleth, when in Ireland the Catholic faith is overcome ; therefore, for the glory of the mother Church, the honour of St. Peter, and your own secureness, suppress heresy and his holiness's enemies ; for, when the Roman faith there perisheth, the see of Rome falleth also ; therefore the council of Cardinals have thought fit to encourage your country of Ireland, as a sacred island, being certified, whilst the mother Church hath a son of worth, as yourself, and of those that shall succour you, and join therein, that she will never fall, but have more or less a holding in Britain, in spite of fate. Thus, having obeyed the order of the most sacred council, we recommend your princely person to the Holy Trinity, the Blessed Virgin, St. Peter, St. Paul, and all the heavenly host of heaven. Amen."

O'Neill did, according to Leland, assemble his troops, and marched all the way to Tara Hill ; but the Lord Deputy following, defeated him at Bellahoe, and then the Irish chiefs everywhere submitted, acknowledged the authority of the king while they remained Catholics ; sat in parliament, were loaded with favours by the Council, and renounced the Pope.

All the Irish leaders—O'Neill, O'Brien, De Burgo—ennobled, sat in the parliament in Dublin, together with fourteen bishops. When Henry VIII. was proclaimed King of Ireland, there were rejoicings and a grand procession to St. Patrick's, to celebrate a great event. But, from the narrative, we perceive a solemn Mass *was sung* by the Archbishop; so the forms of religion were but partially changed, while the external jurisdiction of the Papacy was repudiated by the Church and State together. Right loyally did the Church act then as now.

We have traced this struggle to an apparent conclusion, as of great consequence rightly to understand. We have the assertion, on the one side, of the independence of the kingdom, and on the other we have excommunication and claim of authority, temporal and spiritual. We have the complete success of the Crown, and a principle asserted, by the consent alike of people, nobles, and parliament, which might, when developed, have secured liberty, happiness, and tranquillity, with a Reformed Church, in Ireland.

The character of Henry VIII. was very mixed. He was a man of strong will, ungovernable passion, powerful intellect, and varied accomplishments. With the politic

Emperor Charles V, the brilliant Pope Leo X., the chivalrous Francis I. of France, King Henry played bravely the game of the world.

FIFTH EPOCH.

Progress of the Reformation.

Edward VI., a pious and sincere prince, succeeds. He was zealous in promoting the interests of religion, but he was short-lived. We have, however, in his reign, a very important and grand reform accomplished by our *Church*.

The same Archbishop of Dublin (Browne) received the command of Edward VI. to have the Liturgy printed, and said or sung in English. We read that the Latin was laid aside, and the amended Liturgy was first observed in the English tongue in Christ's Cathedral, Easter 1551; and it is not to be forgotten, that the volume containing the amended Liturgy was the *first book* printed in Ireland; its printer, Humphrey Powell, having come over from England to ensure its publication. How the directions of the king were received by the Irish prelates is all-important. We have it in D'Alton thus:—

“Before, however, any state manifesto was sent forth on the subject, an assembly was held

in Dublin, consisting of the prelates and clergy of Ireland, when Archbishop George Dowdal of Armagh, and his suffragans, vehemently opposed the innovation. Sir Anthony St. Leger then took up the order, and held it forth to Archbishop Browne, who, standing up, received it, saying, 'This order, good brethren, is from our gracious king, and from the rest of our brethren, the fathers and clergy of England, who have consulted herein, and compared the Holy Scriptures with what they have done, unto whom I submit, as Jesus Christ did to Cæsar, in all things just and lawful, making no questions why or wherefore, as we own him our true and lawful king.' After this several of the meeker or most moderate of the bishops and clergy of Ireland cohered with George Browne; who, in furtherance of the royal object, preached upon this occasion *a sermon against keeping the Scriptures in the Latin tongue, and against the worship of images.*"

We are as if looking on at the progress of the Reformation here in Dublin, and considering the conduct of our Church on the occasion. We observe how this true reform in the Church was effected. The brethren, fathers, and clergy of England consulted and compared the Holy Scriptures with what they had done, and found it to be right; and, therefore, they persisted in the accomplishment of a glorious work. Thus the

Church of Ireland dealt with the Scriptures, acting with the *king and the nation*. Dowdall would not receive the English Liturgy or the reforms warranted by Scripture, and adopted by the Church. He was banished. I may as well finish off Dowdall and the imposture practised regarding him in the Council of Trent. I take the condensed narrative from a pamphlet, by Mr. Napier, entitled, "England or Rome: which shall govern Ireland?"—

"Dowdall was appointed Archbishop of Armagh by the King, but *not confirmed by the Pope*; in 1543 he was consecrated by the Bishops of the province. The Pope, Paul III., appointed Waucop, Archbishop: he sat as such in the Council of Trent from 1545 to 1547. (See vol. i. Ware's Bishops, p. 93; Couray. Hist. Conc. d. Trente, vol. i., p. 243.)

"In 1551 Dowdall fled from the kingdom, in consequence of his *creed*, not his *title*; this was in the reign of Edward VI.

"In 1553 he was recalled by Queen Mary; and in Mr. Shirley's very interesting collection of Letters and State Papers on the Church in Ireland, p. 82, will be found an account of a letter from the Queen to Dowdall *as the Archbishop*, dated the 4th August, 1558. In this month he died, about eleven days after the date of this letter; he was then in London. A short sketch of him is given in page 36.

"Here, then, we have the King's Bishop and

the Pope's Bishop rivals for the office of Archbishop of Armagh. The former was accepted in Ireland, not at Rome; the latter at Rome and in the Council of Trent, but not in Ireland. The former was acknowledged by Mary, but never by the Pope; *he* (Dowdall) *survived Waucop*, who never had possession of the see, but who has the fame of having first introduced the Jesuits into Ireland. Dowdall was not merely acknowledged by Mary, but Roman Catholic historians could not escape the admission of his title, for it is formally recorded in the minutes of a Romish Synod holden at Drogheda in 1614. In one chain of succession, published by Romish authority, Waucop is placed after Dowdall, though at the date of Mary's letter to Dowdall as the then Archbishop, *Waucop was in his grave!!*"

SIXTH EPOCH.

Mary's Reign.

Queen Mary succeeds; her gloomy reign of persecution did not extend to Ireland. The Roman Catholics, to their honor, shewed no inclination to persecute here as the dreadful Queen persecuted in England. Perhaps *she forgot us*. Queen Mary, however, undid, so far as she could, the work of the Reformation in Ireland.

SEVENTH EPOCH.

Progress of the Reformation.

The ascension of Elizabeth was an event of momentous interest to the cause of Protestantism in England and in the world. The principle of her reign and of her faith was exemplified by an incident which occurred in her procession from the Tower to Westminster to be crowned. The Lord Mayor of London, with the Corporation, met her in Cheapside, and presented to her an open Bible. She stood up, kissed it reverently, and said she would study it diligently, and endeavour to conform her conduct thereto. A dangerous confession to make publicly, however inspiring to the Protestants of the empire.

It was to be expected the Reformation begun so auspiciously should be carried out effectually, and in an orderly manner, in Ireland; and so it was. I quote from Wordsworth (pp. 208-213), for the manner of the Reformation:—

“But it may be asked:

“Was, then, the Irish Reformation, in the reigns of King Edward VI. and Queen Elizabeth, carried on in a regular and orderly manner, by lawful Synods of the Church?

“To this question we reply, deliberately and unhesitatingly—Yes.

“In the year 1551, a Synod of Irish Bishops received and authorized the English Liturgy, in place of the Latin Service Book.

“This was the main Act of Reformation in Ireland, under King Edward VI.

“Again, in the year 1560-1, the third of Queen Elizabeth, a Synod of Irish Bishops was held for ‘establishing the Protestant Religion.’

“And what was determined in this Synod of Bishops?

“It sanctioned the Reformation.

“And how does this appear?

“As follows:—

“The Synod consisted of Bishops. Now it is well known that twenty Irish Bishops were present in the Irish Parliament in 1559-60 (the year before that in which this Synod was held), when the usurped power of the Bishop of Rome was renounced, and when Acts were passed for ‘restoring to the Crown its ancient jurisdiction,’ and for ‘uniformity in religious worship,’ and wherein it was provided that all Ministers of the Church in Ireland should ‘use the English Liturgy as set forth in the Book of Common Prayer.’

“*All the Bishops* of Ireland took the Oath of Supremacy, and conformed to that Liturgy, except two, who had been placed by Queen Mary in the Sees of Meath and Kildare, from which the lawful Prelates had been ejected by her

because they were married men. Those two intruders whom Queen Mary had appointed were displaced, in their turn, in the following reign of Queen Elizabeth, and their rooms were filled by two Bishops, who took the Oath of Supremacy, and conformed to the English Liturgy.

“Thus the Irish Episcopate accepted the Reformation.

“Nor did they *accept* it only; they authorized and propagated it in Synod and singly.

“In the year 1566, twelve ‘Articles of Religion’ were published in Ireland. These Articles were put forth by the Irish *Episcopate*, and were subscribed by the Irish clergy.

“The terms of these Articles are very important, as indicating the Scriptural and truly Catholic spirit of the Irish Reformation, not only in rejecting the errors and usurpations of Rome, but in professing the true Faith.”

Therefore, those who had authority in Church and State carried out the Reformation, and our Church, blessed be God, agreed with the State, in publishing the truth, amending the Liturgy, appealing to the Bible, and emancipating the Kingdom from the thralldom of the Court of Rome. The Church and the country were at rest during a period of ten years. When did the mischief begin? When Rome, by her excommunications, presumed to depose Elizabeth, and distracted Ireland. It was not the people, not the

Bishops, not the Queen, Lords, and Commons, but, as matter of history, the foreign power—the Papacy.

Elizabeth wisely endeavoured to conciliate her Roman Catholic subjects. The title—liable to misconstruction—of Supreme Head of the Church was laid aside, and the more acceptable title of the only “Supreme Governor of this Realm” substituted.

Elizabeth inherited much of her father’s spirit, while she possessed more sagacity and a superior judgment. She would govern in Ireland, not through a faction, but by her own will and sovereign power.

It is certain, that for nigh ten years the Church was here allowed to execute its mission in peace. The bishops had sanctioned and adopted the Reformation, and the people had, in general, resorted to the churches, in which the English service was read,

This habit prevailed, generally, until Pius V. boldly excommunicated Elizabeth, and sent his emissaries into Ireland to withdraw the people alike from their churches and from their allegiance. What next took place, is worthy the closest attention of all who care for the maintenance of our Church.

EIGHTH EPOCH.

European Struggles concerning Religion.

We must elevate our minds to the contemplation of the grand drama enacting on the stage of Europe, before we can comprehend the performances upon the narrower theatre of Ireland.

The progress of the Reformation had enraged Leo X., the classical, luxurious, and splendid Pope. It had alarmed the wily Emperor Charles V., and incensed the King of France. By a dexterous manœuvre of Maurice of Saxony, Charles V. had been compelled to make the peace of Passau, which secured liberty to the German Lutherans. This treaty was wrung from Charles, for his heart was fanatical, and his temper imperious.

The enemies of human freedom were alarmed at the assertion of principles portentous to the claims of despotism, spiritual and temporal.

In this age of toleration it is very difficult to comprehend how or why kings or princes persecuted their subjects for their religious

convictions. It is more difficult to comprehend how they could believe that bloody persecution was acceptable to the God of Mercy and Love. It is almost impossible to comprehend, by the unaided light of reason, why the printing or reading of the Bible should be punished as heresy in the flames. I fear the past is a mystery to the present. Even the great heroes of European history have been misunderstood, or their characters have changed as their physical temperament altered, or as old age overtook them. We can scarce believe Mr. Prescott's narrative of the latter years of the life of Charles V. Is it the magnanimous monarch we behold in the character of a drivelling monk, a gloomy fanatic? Was the testament his act which enjoined his son to extirpate heretics by fire and sword?

That implacable son had been the husband of Mary, and, courting the possession of England, he sought the hand of Elizabeth, which she refused. Indignant and relentless, he resolved to satisfy his father's will and his own dreadful designs. Having composed his quarrel with Charles IX. of France, he struck a bargain with that monarch that they should kill Protestantism; and they proceeded accordingly to the execution of their bloody compact.

The history of the Low Countries, by Motley, is more exciting, from its awful realities, than the creations of fancy or imagination ever can be. The history of Catherine de Medicis and of Charles IX. will never be forgotten by the great, tolerant, and gifted French nation.

Having in our minds the chief events of this tremendous epoch of European history, recollecting the grand conspiracy against the very existence of the Protestant religion, we may closely examine the lesser conspiracy to dethrone Elizabeth, and place Mary Queen of Scots upon the throne; in the course of which plot the Church, reformed and linked with the State, was naturally to be overthrown also. Let us bend our attention upon Ireland and the history of our Church.

King Henry had governed the chieftains of Ireland firmly, while he bestowed upon them freely honours, titles, and lands, sharing amongst them the spoils of the religious houses. He had persuaded the O'Neill referred to by Archbishop Browne to accept the title of Earl of *Tirowen*. Upon his death, Shan O'Neill succeeded, or usurped his vast possessions, but the Earldom he spurned, and aspired to be crowned on Tara Hill—King of Ireland.

It has been asked by several writers, in-

cluding Dr. Todd, why England did not strive to rule Ireland through her chiefs? why change their customs or destroy their power? I answer, what government could govern through such a character as Shan O'Neill? Artful, sensual, brutal, grasping, cruel, ferocious, treacherous, he obeyed no law, human or divine. He was as far-seeing as he was false; plotted with the Scotch to put Mary on the throne of Elizabeth, and then sought, as ever the case with traitors, for foreign aid. He addressed a despatch to Charles IX. of France, which was intercepted, and laid before the council of Elizabeth. It contains a brief history of the country and of the age, and will be found in the history of England by Froude:—

“Your Majesty’s father, King Henry, in times past required the lords of Ireland to join with him against the heretic Saxon, the enemies of Almighty God, the enemies of the holy Church of Rome, your Majesty’s enemies and mine. God would not permit that alliance to be completed, notwithstanding the hatred borne to England by all of Irish blood, until your Majesty had become King in France, and I was Lord of Ireland. The time is come, however, when we all are confederates in a common bond to drive the invader from our shores; and we now beseech your Majesty to send us six thou-

sand well-armed men. If you will grant our request, there will soon be no Englishman left alive among us, and we will be your Majesty's subjects evermore. Help us, we implore you, to expel the heretics and schismatics, and to bring back our country to the holy Roman See."

That O'Neill endeavoured to fulfil his threat we can well conceive, from the fact that there is extant a memorial from the Maguires of Fermanagh to the English Government, beseeching its aid against O'Neill, and stating that he had swooped down upon them, and put to death three hundred women and children in one day.

Elizabeth was at last aroused and alarmed. Her captains pursued, fought, and conquered O'Neill, and his head was placed upon the spikes before the Castle.

NINTH EPOCH.

Plantation of Ulster.

What was then to be done with Ulster, became the question. It had been wasted by fire and the sword, stripped of its people, in great part left without industry, agriculture, trade, roads, ships, or money: a vast tract of country was at the disposal of the State.

King James I. shrewdly said that Ireland was the back door whereby the enemies of England might enter in and stab her to the heart.

Let us in imagination collect into one council chamber all the great men of a great age, and hear their sage advice as to what was to be done with Ireland after the downfall of O'Neill, and the confiscation of his extensive possessions. "I cannot fiddle," exclaimed Themistocles, "but I know how to change a petty province into a mighty kingdom." To build cities, frame laws, found commonwealths, and bind men together by the bonds of justice and religion, the flatterer of Augustus in his imperishable verse ascribed to his patron as a godlike work. That God-like work, the counsellors of Elizabeth and James performed, and let not intellectual pigmies rail at intellectual giants. They would plant down at once the institutions of England on the vacant soil, and attract to a country, ruined by repeated rebellion, civilized and Christian men, who by their industry might fertilize a wilderness, raise and reform an oppressed, degraded people. Hear the seditious babbler exclaim, what has Protestantism done for Ireland? Look steadily at the condition of Ulster. Then as it was, without commerce, churches,

manufactures, agriculture, learning, justice, or religion. Now look at it as it is, and answer the question, not by casuistry, but by the evidence of your senses. From this argument no man can escape. Indeed the whole of Ireland at the Epoch we are considering, was in a miserable condition. James, following up the policy of Elizabeth, would plant and endow a University, Schools, Churches; in fact would introduce and establish the laws, language, religion, and liberties of England. We have fortunately a description by Sir John Davies, of the first circuit held in Ulster. The commission was to administer justice, REPAIR CHURCHES, restore religion, and settle property. These famous men had no idea of a State unconnected with, and unblest by religion, and they wisely linked the State with that church which could preserve, and not with that branch of the Church which then would destroy it. Self-preservation is a law of nature.

Sir John Davies has informed us in his tracts of the state of Ulster; of the surprise and pleasure with which the people saw justice done upon their petty tyrants.

With what feelings did these great men approach the question of settling Ireland?

Lord Bacon describes Ireland, in his Essay

on the Plantation of Ireland, as another Britain, and praises especially—

“The race and generation of men, valiant, hard, and active—as it is not easy to find on the Continent such confluence of commodities—if the hand of man did join with the hand of nature.”

In a private report from the English officials in Dublin to King Henry, we find them writing kindly of the common Irish:—

“If well governed,” they said, “the Irish would be found as civil, politic, and active, as any other nation. . . . Till great men suffer for their offences,” they said, significantly, “your subjects within the English pale shall never live in quietness, nor think sure of their goods and lives. Therefore, let your Deputy have in commandment to do justice upon great thieves and malefactors, and to spare your pardons.”

“Thus,” writes Lord Coke of the Irish:—

“I have been informed by many of them that have held judicial places there, and partly from my own knowledge, that there is no nation in the Christian world that are greater lovers of justice than they are, which virtue must of necessity be accompanied with many others; and, besides, they are descended of the ancient Britons, and therefore the more endeared to us.”

What admirable principles of Government for Ireland did the great men of another age recommend to England! What the highest officer of Justice in Ireland should be, is thus described by Sir John Davies, one who possessed the qualities he requires in another:—

“He should be furnished with all learning that hath any relation to the public good, divinity, law, policy, morality, and especial eloquence to impart all the rest. He must be accomplished in all points of gravity, constancy, wisdom, temperance, courage, justice, piety, integrity, and all other virtues fit for magistracy and government—to be a mirror to all other magistrates.”

Finally, England gave to Ireland all she possessed herself, a free Parliamentary Constitution. In the Parliament, which represented the whole island, in the peaceful reign of James I., were 100 Roman Catholic gentlemen and 132 Protestants. All the Roman Catholic nobles sat in the House of Lords. In the Commons, Mr. Barnwell, of Meath, a Roman Catholic gentleman of ancient family, was proposed as Speaker; but Sir John Davies, lawyer, orator, poet, and statesman, was preferred. His speech, in addressing the Lord Deputy, on his election as Speaker, is memorable for the noble senti-

ments it contained towards an emancipated country.

The only objection which cavillers may take to the application of the noble maxims of Government referred to, may be, that in her then condition Ireland was not ready for their reception.

TENTH EPOCH.

Progress of Ulster.

The principles which animated King James I. in his indefatigable exertions to promote the settlement, are to be found in the Charters granted to the towns of Ulster. The first clause of the Charter granted to Coleraine will suffice for illustration of the Irish society at the time:—

“James, by the grace of God, of England, Scotland, France, and Ireland, King, Defender of the Faith, &c., to all to whom these present letters shall come greeting. Whereas, there can be nothing more worthy of a King to perform, than to establish the true religion of Christ among men hitherto depraved, and almost lost in superstition ; to improve and cultivate, by art and industry, countries and lands uncultivated and almost desert : and not only to stock them with honest citizens and inhabitants, but also to strengthen them with good institutions and

ordinances, whereby they might be more safely defended, not only from the corruption of their morals, but from their intestine and domestic plots and conspiracies, and also from foreign violence : and whereas the province of Ulster, in our realm of Ireland, for many years past, hath grossly erred from the true religion of Christ and divine grace, and hath abounded with superstition, insomuch that for a long time it hath not only been harassed, torn and wasted, by private and domestic broils, but also by foreign arms : we, therefore, deeply and heartily commiserating the wretched state of the said province from superstition, rebellion, calamity, and poverty, which heretofore have horribly raged therein, have esteemed it to be a work worthy of a christian Prince, and of our Royal office, to stir up and recall the same province to religion, obedience, strength, and prosperity."

Thus we see that religion and the Church, connected with the State, was the pervading idea of this wise, and learned, and peaceful Prince.

A volume, which lies before me, of the ancient charters and records of Ireland, the foundation of history, is filled with grants relating to the Church. The commissioners to carry out the plantation of Ulster set apart and allotted lands in many parishes and dioceses for the endowment of the Church. A large portion of these lands had

no more belonged to the Church of Rome than to the Great Mogul. These lands were granted by lawful authority, upon conditions long fulfilled. The family of the O'Neills, to whom these lands once belonged, have, a century since, conformed to the Protestant religion; and the present possessor of the remains of the princely possessions of the O'Neills, is an ordained minister of the Church of England, and one of the best men in our country.

Let me read one of these grants, that you may clearly comprehend the enormous fabrications of the enemies of our Church at this day. I give, as an illustration, a single patent, which, to save expense to the clergy, contains 29 separate grants of glebe lands, for various parishes, in the diocese of Armagh:—

“Grant of glebe lands in the diocese of Armagh, pursuant to the instructions of the late king, and of certain articles dated 3rd February, 1623, entitled Orders and Directions concerning the state of the church of Ireland, and the possessions thereof, free schools, and other endowments, lands given to charitable uses, and other things tending to the advancement of true religion and maintenance of the clergy,—granting:

“To John Symonds, rector of Armagh, three

fifths of the balliboe of Drombybegg, in or near the proportion of Edenevagh, in the barony of Fues, and county of Armagh; Mullalough-ernagh, one balliboe, in or near the proportion of Mullavane, in the barony of O'Neilan, with a parcel of ancient gort as glebe, [here follow 28 other grants for 28 parishes] with all and singular castles, messuages, buildings, and edifices upon the premises, as fully, freely, and entirely, as all and singular the premises are now in the hands of the Crown; *all which were lately assigned by the Commissioners for the plantation of Ulster, for the augmentation of glebes, and the maintenance of persons having cure of souls: To hold for ever, in free, pure, and perpetual alms, for all services; with a covenant for the building of glebe-houses; and in default, his Majesty reserves permission to enter, and by the hands of the Dean, Archdeacon, and two Justices of the Peace, to collect the issues and profits of the lands until the buildings shall be finished: and no person shall let or set any of the glebes, contrary to his late Majesty's instructions, upon pain of forfeiture of 5s. an acre.—Dublin, June 4."*

All the conditions prescribed have been long fulfilled, and under a lawful possession of nigh 300 years, these lands have been held and enjoyed by the Church. Thus you perceive how a large part of the property of the Church was then granted for the first

time, and for what high and holy purposes, which purposes have been fully performed. We are now called upon to undo what the statesmen and scholars of England at this memorable epoch of our history have done; to unsettle what they fondly imagined had been for ever settled.

Before we do so, let us ask ourselves who these men were, and call to mind by contrast their critics. Remember, the men who flourished at the epoch of the Reformation were scholars, philosophers, lawyers of matchless learning, statesmen, captains, renowned admirals, discoverers, heroes; amongst the men of genius of that time may be remarked the grand poet, who descended into the depths of the human heart, brought forth its hidden mysteries, and described them in his imperishable language to be our wonder and delight forever. Remember, this was an age of the discovery of new worlds, of adventure and of glory, of brilliant enterprizes conducted by heroic men to successful conclusions. Remember, it was an age in which the Scriptures began freely to circulate after the light of the Reformation had burst upon the world, which it has since illuminated with a steady splendour. Remember, we are now asked practically to say the Reformation was wrong, that Rome was infallibly right in all

things, and that, finally, while we overthrow the Church, we should restore the reign of ignorance and darkness.

Nature, Character, and Antiquity of Church Property.

The question of the property of the Church vested in it as a corporation, is one of much importance to understand. The Church in Ireland has ever been linked with the State. The ratification by Henry II. of the proceedings of the Synod of Cashel, was the very first act of the English dynasty. All property is derived from the Crown, and what seems the first property so granted here is that of the Church. Individuals frequently get grants out of the Church property for their private benefit ; it is difficult to see how their title is better than that of the Church. The title of the Church is prior in point of time to all other grants from the Crown in Ireland, and whatever individuals got by grants subsequent, the portion of land so granted was subject to the prior grant or title of the Church.

The property so vested in this Christian corporation has never been forfeited nor lost in any manner ; and the argument sometimes used to derogate from the title of the Church, only adds weight and force to the reasons in

its favour. It is said, the Church of Ireland is the State Church, that it has always been on the side of the State: that is so assuredly. When the State, at the period of the Reformation, shook off the modern errors and innovations of Rome, the Church reformed itself in accord with the State, agreed with the Parliament, upheld the Crown, and in all things, when restoring the purity of the ancient faith, agreed with the State, and in that sense was the State Church. How, in the name of common sense, does that lessen the title or abridge the rights of the Established Church?

If, indeed, it had opposed the State, refused to agree with its laws or constitution, resisted the settlement of the monarchy, rejected the supremacy of the Crown, shut up the Bible, denied the Reformation, clung to the authority and upheld the jurisdiction of a foreign power; then, indeed, its title as a corporation to its property might have been shaken to its foundation. But to argue from its loyalty to the State, against its title to corporate property, is to invert the rule of reason and of law, and to forget the very nature of the union between Church and State, and the harmony and affection which should subsist between them for ever.

The State had a right, at the period of the

Reformation, to choose between a well-affected and a disaffected priesthood. In doing so, it did not destroy, but preserve, the very *principle* of the connexion between Church and State. It never was the design of the founders of the Church Establishment in Ireland that the principle asserted by Dowdall, Archbishop of Armagh, should prevail—namely, that Ireland should be held for the Pope. The corporate property was never bestowed upon the Church to carry out such a fatal policy. The State had a right to say so; to expel the traitor who dared to propound it, and to maintain the corporate property, and the corporation itself, to execute the sacred purposes for which they were designed. The Church is a corporation; so is every parson. They maintain a perpetual succession, “and enjoy a kind of legal immortality.” It is the opposite of a voluntary society without unity or continuance, being a corporation incorporated in connexion with the State, and possessing, like the State, an unchanging identity. In contemplation of law, the King never dies—nor does a corporation; each has a perpetual succession. The law secures the rights of both kinds of corporation: there is no failure of title in the Church to the property set apart for it, no legal forfeiture, no

break in the legal succession. Suppose we were to admit that when Henry II. came to Ireland, the Church then existing was by him invested with certain lands and tithes, upon the terms of admitting the supremacy of the Pope; then, we insist, when the same Church in Ireland renounced the Pope, the same kingly power, exercised by Henry VIII., confirmed to the Church, with the assent of the Legislature, the same lands and tithes, for the same purposes for which they were granted. If the Church might admit, so might it renounce, Papal Supremacy, without losing its corporate character or rights. I have already proved there was no disruption of continuity at the Reformation. The changes demanded by the Crown, and sanctioned by Scripture, were adopted by the bishops, clergy, and a body of enlightened laymen, as they had been by the English nation; and, therefore, we have preserved the continued identity of the Church as a legal and constitutional corporation.

The Crown may be looked upon as a visitor of the Church; but it does not follow, because the Crown creates or visits a corporation, or has, in ancient times, granted lands to that corporation, that the Crown can resume the property granted, and take back the property, when no forfeiture has oc-

curred. The law forbids this process of resumption; the Crown has no such right. It had given, originally, as valid a title as it possessed itself, and cannot at pleasure set aside that title, and resume the property granted and secured by law. The Crown could not take back the lands granted to the University, or to the Corporation of Dublin; the Crown can visit or reform either, and get rid of refractory members, preserving the identity of the corporation.

Whatever the Crown and Legislature can do with the Church and its corporate property in England, it can do with the same institution and its property in Ireland, and nothing more. The same principle, the same law, applies to the same Church, whether situate in Ireland or in England.

There remains on this branch of the subject but one topic to notice, and that is an exceedingly ridiculous one—namely, that the individual parson or bishop only holds his benefice or see for life; and, therefore, that, as each drops, the benefice or bishopric may be sequestered or sold without injustice. This doctrine, as applied to a corporation and its members, is quite absurd, and contradicts the very idea of a corporation. I guess it would be well understood by the Corporation of Dublin, practically, if

they were informed, on their next meeting, that it was contemplated by the Parliament, when Alderman Reynolds or Sir John Gray should retire or die, to seize and sell their particular share of the corporate property. As absurd, illegal, and ridiculous would it be to suggest that when the late Archbishop of Dublin died, we might seize and sequester all the corporate property of the See before we could get a new archbishop appointed.

ELEVENTH EPOCH.

James I. and his Oath of Allegiance.

It should be understood that James I. was rather kindly disposed towards the Roman Catholic religion, and towards his Roman Catholic subjects. His first step, after his accession to the Crown of England, was to pass an Act of Indemnity and Oblivion for all past offences. The amnesty was followed by a commission of grace for the settlement of landed property. But the same wise, learned, and sagacious Prince was conscious he must, before his English subjects, assert his kingly authority, by excluding Papal interference in the domestic or civil affairs of the realm; and, therefore, to reconcile his Roman Catholic subjects to the State, and to enable him to extend towards them his

favour both in England and in Ireland, he drew up, with his own hand, an Oath of Allegiance, which no loyal subject of any religion could fairly object to. With this oath we are immediately concerned; and accordingly I read it from King's History of the Church, vol. 3, p. 1311:—

“ I, A. B., doe truly and sincerely acknowledge p fesse testifie and declare in my conscience before God and the Worlde, that our Sovereigne Lord kinge James is lawfull and rightful king of this Realme and of all other his majesties Dominions and countries. And that the Pope neither of himselfe, nor by any authority of the Church or Sea of Rome, or by any other meanes with any other, hath any Power or Authoritye to depose the king or to dispose any of his Majesties kingdoms or dominions, or to authorize any Forraigne Prince to invade or annoy hym or his countries, or to discharge any of his subjects of their allegiance and obedience to his Majestie, or to give licence or leave to any of them to beare armes raise Tumult or to offer any violence or hurte to his Majesties Royal P'son state or Government or to any of his Majesties subjects within his Majesties dominions. Also I doe swear from my heart that notwithstanding any declarac'on or Sentence of excommunicac'on or deprivac'on made or graunted, or to be made or graunted by the Pope or his successors, or by any authoritie derived or p'tended to be derived

from hym or his sea against the saide king his heires or successors, or any absolution of the saide subjects from their obedience. I will beare faith and true allegiaunce to his Majestie his heires and successors, and hym or them will defend to the uttermost of my power against all conspiracies and attempts whatsoever which shal be made against his or their persons, their crowne and dignitie by reason or colour of any such sentence or Declarac'on or otherwise, and will doe my best endeavour to disclose and make knowen unto his Majestie his heirs and successors all Treasons and Traiterous Conspiracies which I shall knowe or heare of to be against hym or any of them. And I doe further sweare That I doe from my heart abhor detest and abjure as impious and hereticall this damnable Doctrine and Position, that princes which be exco'municated or deprived by the pope may be deposed or murthered by their subjects or any other whosoever. And I doe beleeve and in my conscience am resolved, that neither the Pope nor any p'son whatsoever hath power to absolve me of this Oath, or any part thereof, which I acknowledge by good and full Authoritye to be lawfully ministred unto mee, and doe renounce all Pardons and dispensac'ons to the contrarie; And all these things I do plainly and sincerely acknowledge and Sweare, according to these expresse wordes by me spoken, and according to the playne and co'mon sense and understanding of the same wordes, without any equivocac'on or

mentall evasion or secret reservac'on whatsoever ; And I doe make this recognic'on and acknowledgement heartily, willingly and truly upon the true faith of a Xtian : So help me God. Unto which oath so taken the said p'son shall subscribe his or her name or marke."

We have ample references—to King, to Dr. O'Connor, to Berrington, and other Roman Catholic writers—to prove that this oath was taken by numbers of the Roman Catholic nobility and gentry, and that it ought to have been taken by all. It plainly points only to civil allegiance, and leaves belief untouched. Here was a grand opportunity for allowing the people and clergy of the Roman Catholic Church to be reconciled to their lawful governors, to which they were inclined, on the score of King James's descent and his mother's religion. What did actually happen? Paul V. issued his pontifical brief, and in reference to this oath warns his dupes:—

"As also you cannot, without a most evident and most awful dishonouring of God, bind yourselves by the oath, which, with similar feelings of deepest heart sorrow, we have heard of as having been proposed for your acceptance; of the tenor here subjoined, viz. :—

[The oath is then recited.]

"Such being the nature of this document, it

should be clear to you from the very words of it, that an oath of the kind cannot be taken with safety to the Catholic faith and to the welfare of your own souls, containing, as it does, much that is openly opposed to the faith and to salvation."

The authenticity of this missive was doubted, but by the Pope was repeated and confirmed, and thus the sword was drawn by the Court of Rome against the Crown of England.

The consequence of this fatal act on the part of the Court of Rome was the revival of religious antipathies. It was immediately said by the enemies of the Roman Catholics, that men whose civil conduct was subject to the control of a foreign court, could with no justice claim the common right of citizens.

The denunciations of the Court of Rome by the learned Dr. O'Connor, and the censures by another Roman Catholic prelate, Dr. Berrington, are highly instructive, proving how widely the good Catholic and loyal subject differs from the servant of Rome.

This sad event ruined the cause of the Roman Catholics, because the bulk of the clergy and laity followed the mandates of the Court of Rome, and separated themselves from their lawful Sovereign, who, by a temperate reply to the Pope, which King

James I. called *An Apology* for his oath, tried to win his Roman Catholic subjects to their allegiance, but, as to the clergy and the majority of the laity, in vain.

When we read over the history of these transactions, we can the better comprehend the wise and persistent policy of the successive sovereigns of England, who connected the State in Ireland with a loyal, as well as a scriptural and ancient Church, and not with a body of priests, who, influenced, as Dr. O'Connor insists, by a foreign power, refused to acknowledge their King as a king entitled to their loyalty and obedience. The narrative of events touching this oath of allegiance, affords a clear insight into our domestic history, and into the reasons which cemented the union between our Church and the throne.

There is but one other event connected with Church history, and the assumption of papal jurisdiction in Ireland in this reign, which deserves to be particularly noticed, and that is the trial of Robert Lalor, a priest. He was indicted for assuming to act as vicar-general under a commission from the Pope, within the archbishopric of Dublin, and the bishoprics of Kildare and Ferns. The case is elaborately reported in the first law book printed in Ireland in the English

tongue, namely, in the reports of Sir John Davies, and from which it is copied into the state trials by Howell. It was alleged and proved that Lalor granted institutions to benefices, dispensations of marriages within degrees, divorces, and dispensations for non-payment of tithes. At first, he was indicted under the 2nd of Elizabeth, enacted against such as should wilfully and advisedly maintain and uphold the *jurisdiction* of any foreign prince or prelate in any causes, ecclesiastical or civil, within this realm. Sir John Davies, being a consummate lawyer as well as statesman, abandoned the prosecution under the statute of Elizabeth, and indicted Lalor afresh, in the King's Bench, on the statute 16 Richard II. This statute was enacted by English Roman Catholics, centuries before the Reformation; and it was a fine stroke of policy to prosecute the offender upon a law passed by the Roman Catholics for their own protection against the usurpation of Rome, and introduced into Ireland by Poynings' law.

The charges against Lalor were:

"1. That he had received a bull or brief purchased or procured in the court of Rome, which bull or brief did touch or concern the king's crown and dignity royal, containing a commission of authority from the pope of Rome

unto Richard Brady and David Magrath to constitute a vicar-general for the see of Rome, by the name of the see apostolick in the several dioceses of Dublin, Kildare and Ferns, within this kingdom of Ireland.

“ 2. That by pretext or colour of that bull or brief he was constituted vicar-general of the see of Rome, and took upon him the style and title of vicar-general in the said several dioceses.

“ 3. That he did exercise ecclesiastical jurisdiction as vicar-general of the see of Rome, by instituting divers persons to benefices with cure of souls, by granting dispensations in causes matrimonial, by pronouncing sentences of divorce between divers married persons, and by doing all other acts and things pertaining to episcopal jurisdiction, within the said several dioceses, against our sovereign lord the king, his crown and dignity royal, and in contempt of his majesty, and disherison of his crown, and contrary to the form and effect of the statute, &c.”

Next we have the reasons for grounding the indictment upon the old law of Richard II., rather than upon some other later law made since the time of Henry VIII.

Sir John Davies thus expounds the whole constitutional principles of the question, and the reason for the law, which contain a history of the dispute between England and the Court of Rome from the earliest times:—

“ These laws were made to uphold and maintain the sovereignty of the king, the liberty of the people, the common law, and the commonweal, which otherwise had been undermined and utterly ruined by the usurpation of the Bishop of Rome If we look into the stories and records of these two imperial kingdoms, we shall find, that if these laws of provision and *præmunire* had not been made, they had lost the name of being imperial, and of kingdoms, too, and had long since been made tributary provinces to the Bishop of Rome, or rather part of St. Peter’s patrimony in demesne. Our kings had their sceptres wrested out of their hands, their crowns spurned off from their heads, their necks trod upon, they had been made laquies or foot-men to the Bishop of Rome, as some of the emperors and French kings were; our prelates had been made his chaplains and clerks, our nobility his vassals and servants, our commons his slaves and villains, if these acts of manumission had not freed them. In a word, before the making of these laws, the flourishing crown and commonwealth of England was in extreme danger to have been brought into most miserable servitude and slavery, under the colour of religion and devotion to the See of Rome. And this was not only seen and felt by the king, and much repined at and protested against by the nobility, but the commons; the general multitude of the subjects did exclaim and cry out upon it

For this act of 16 Rich. II. was made at the prayer of the commons. . . . They complain, that by bulls and processes from Rome, the king is deprived of that *jurisdiction* which belongs of right to his imperial crown; that the king doth lose the service and counsel of his prelates and learned men, by translations made by the Bishop of Rome; that the king's laws are defeated at his will, the treasure of the realm is exhausted and exported to enrich his court; and that by those means the crown of England, which hath ever been free, and subject unto none, but immediately unto God, should be submitted unto the Bishop of Rome, to the utter destruction of the king and the whole realm, which God defend, say they; and thereupon, out of their exceeding zeal and fervency, they offer to live and die with the king in defence of the liberties of the crown. And, lastly, they pray and require the king, by way of justice, to examine all the lords in parliament, what they thought of these manifest wrongs and usurpations, and whether they would stand with the king in defence of his royal liberties or no. Which the king did according to their petition; and the lords spiritual and temporal did all answer, that these usurpations of the Bishop of Rome were against the liberties of the crown, and that they were all bound by their allegiance to stand with the king, and to maintain his honour and prerogative. And thereupon it was enacted, with the full consent

of the three estates, that such as should purchase in the court of Rome, or elsewhere, any bulls or processes, or other things which might touch the king in his crown and dignity royal, and such as should bring them into the realm, and such as should receive them, publish them, or execute them, they, their notaries, proctors, maintainors, and counsellors, should be all out of the king's protection, their lands and goods forfeited to the king, their bodies attached, if they might be found, or else process of *præmunire facias* to be awarded against them. Upon these motives, and with this affection and zeal of the people, was the statute of 16 Richard II. made, whereupon we have framed our indictment.

“ Was King Henry VIII. the first prince that opposed the Pope's usurped authority? Were our Protestants the first subjects that ever complained of the court of Rome? Of what religion, think you, were the propounders and enactors of these laws? Were they good Catholics? or good subjects? or what were they? You will not say they were Protestants, for you will not admit the Reformed religion to be so ancient as those times; neither can you say they were undutiful, for they strove to uphold their liege lord's sovereignty. Doubtless, the people in those days did generally embrace the vulgar errors and superstitions of the Romish Church, and in that respect were Papists as well as you. . . . They thought it a good point of religion

to be good subjects, to honour their king, to love their country, and to maintain the laws and liberties thereof, howsoever in other points they did err and were misled with the Church of Rome.

“ But you, Mr. Lalor, being an Irishman, will say, perhaps, these laws were made in England, and that the Irish nation gave no particular consent thereunto yet have there been as many particular laws made in Ireland against provisions, citations, bulls, and breves of the court of Rome, as are to be found in all the parliament rolls in England. What will you say, if, in the self-same parliament of 10 Henry VII. cap. 5, a special law were made, enacting, authorising and confirming in this realm all the statutes of England made against provisors? If, before this, the like law were made, 32 Henry VI., cap. 4, and again, 28 Henry VI., cap. 30, the like? And before that, the like law were made, 40 Edward III. cap. 13, in the famous parliament of Kilkenny? If a statute of the same nature were made, 7 Edward IV., cap. 2, and a severer law than all these, 16 Edward IV., cap. 4, that such as purchase any bulls of provision in the court of Rome, as soon as they have published or executed the same to the hurt of any incumbent, should be adjudged traitors? Which act, if it be not repealed by the statute of Queen Mary, may terrify Mr. Lalor more than all the acts which are before remembered.

Lalor was convicted for assuming a jurisdiction under a Papal commission, by the application of the ancient laws of the land, formed in Catholic times; and it should be distinctly understood, that this opposition between the laws of England and Rome does not arise from penal statutes, but from the old common law of the country. In the Summary of the King's Ecclesiastical Law, by Lord Coke, he summarizes the decisions thus: "In the reign of King Henry VI., excommunication, made and certified by the Pope, is of no force to disable any man within England; and this by the *ancient common law, before any statute was made concerning foreign jurisdiction*. Again: In the reign of King Henry VI., the Pope wrote letters in derogation of the King and his regality, and the churchmen durst not speak against them; but Humphrey, Duke of Gloucester, for their safe-keeping, put them into the fire. In the reign of Richard III., it was resolved by the judges, that a judgment in excommunication in the court of Rome should not bind or prejudice any man within England *at the common law*." And so is the law this day. Recently, a miller, a Roman Catholic, sued a priest in Ireland for defamation, attended with special damage to his trade and business as a miller

The priest defended himself, on the plea that what he said and did was in process of an excommunication, which he issued by his authority, as a priest of the Church of Rome, against one of the refractory members of that Church. But it was decided that there was *no jurisdiction* to warrant this excommunication; and thus the Roman Catholic obtained protection, and damages against the priest, for the invasion of his temporal rights by the authority of his Church. The Roman Catholics may believe as they think fit; but as the State has shaken off the jurisdiction of the Pope, and has connected itself with a Church which also repudiates that jurisdiction, the Roman Catholics are as safe as the Protestants from the usurpations of the Papacy.

It will be seen that the reign of James I. is deeply interesting to us in Ireland. The character of that King has been favourably, and I think fairly, drawn by the late Mr. D'Israeli. I agree with Hume's concluding remarks upon his character, after a description of his labours for the improvement of Ireland:—

“Such were the arts by which James introduced humanity and justice among a people who had ever been buried in the most profound barbarism. Noble cares! much superior to the

vain and criminal glory of conquests ; but requiring ages of perseverance and attention to perfect what had been so happily begun."

T W E L F T H E P O C H .

From the Settlement of Ulster to the Act of Settlement on the Restoration of Charles II.

The events, character, and vicissitudes of fortune in the most exalted individuals which stand out on the pages of the history of Ireland during this Epoch, would require the pen of Macaulay to describe. Would that an historian would appear amongst us competent for the task, and who, moulding all the materials at his command into one grand harmonious whole, would present to us, not a political romance, but a faithful and impartial history. How feeble and uninteresting some of the books published in our day—extravagant fictions, silly inventions, caricatures of life and manners which many of our young men read, instead of studying the life of a nation.

Touching the matter of our discourse, the Church, I observe during this memorable period that, in proportion as the character of the individual is truly great, in exact proportion to the amount of his political knowledge, the extent of his influence, and the

elevation of his mind, is his zeal for the interests of our Church. I have already spoken of James I., and of the Statesmen of his time. That sagacious and learned sovereign watched intently the growth of the Protestant settlement in Ulster, in which the Church was so largely benefited. In a King's letter to the Lord Deputy censuring the shortcomings of the undertakers, his Majesty with his own hand subjoined these words:—

“ My Lord, in this service I expect that zeal and uprightness from you, that you will spare no flesh, English or Scottish, for no private man's worth is able to counterbalance *the perpetual safety of a kingdom*, which this plantation being well accomplished will procure.”

Note well the words—“ The perpetual safety of a kingdom,” and the modern policy which proposes to uproot one main part of that settlement.

Charles I. succeeds to the throne, and while neither he nor his Queen—herself a Catholic—were unfriendly to the Roman Catholics, yet did he, in kingly fashion, add to the Endowments of our University and Church. But the eye of the mind almost instinctively turns upon the character of his famous Minister in Ireland, Wentworth, Earl of Strafford. Amongst the Lord De-

puties who ruled Ireland for the English Sovereigns, Strafford holds a foremost place. He was naturally hated and feared by a faction, because he governed and knew how to govern. During his administration the laws were enforced, the rebellious quelled, the idle made to work, the army disciplined to obedience, the coffers of the State filled, the country enriched, manufactures, especially all partaking of the linen and the flax, introduced and fostered, a spirit of enterprize encouraged, and justice done to all alike. And what was *his* conduct towards our Church? All writers of the time agree in the statement that by Strafford the Church was protected, her revenues increased, her pulpits filled by able and learned men, and her fabrics everywhere repaired and adorned; commissions for repair of Churches were issued all over the kingdom; non-residence was forbidden; the clergy in many places incompetent, were replaced by ministers to teach the people. The question of the right of precedence between the Archbishop of Armagh and Dublin was decided by Lord Strafford. After he had, in the council, with infinite pains, examined every record and considered every historical fact which could bear upon the question, his judgment was, that the precedence belonged to the

Archbishop of Armagh as the sole Primate of all Ireland. It has an historic value to read the address to the Crown of the clergy assembled in the National Synod in 1634:—

“Being lately,” as they allege in their address, “depressed to the lowest degree of misery by the wars and confusions of former times, having our churches ruined, our habitations left desolate, our possessions aliened, our persons scorned, our very lives daily subject to the bloody attempts of rebellious traitors, and now by the piety and bounty of your blessed father and by the gracious influence of your sacred majesty ; being now enlivened, and beginning to lift up our heads out of darkness, do freely acknowledge to your immortal glory, that as no Church under heaven did more stand in need, so none did ever find more royal and munificent patrons and protectors than the poor Church of Ireland. You have not only made restitution of that which the iniquity of former times had bereft us of, but also enriched us with new and princely endowments, to which infinite obligations we may add your Majesty’s inestimable goodness in providing for us your present Deputy, Thomas Viscount Wentworth, a governor so just, careful, provident, and propitious to the Church.”

Many excellent acts were passed by the Irish Parliament during Strafford’s government, for the better management and regulation of Church property. But the greatest

work of Strafford remains to be noticed, that was the identifying the two Churches of England and Ireland by the confession of a common faith in a common creed:—

“It might be a blessed thing that all Protestant Churches in his Majesty’s dominions should speak the same language, But it would be particularly desirable that these of England and Ireland being reformed by the same principle and rule of Scripture should confess their faith in the same form. For if they were of the same opinion, why not express themselves in the same words?”

The Canon recording the manifestation of that agreement was drawn, I believe, by the hand of Strafford, and it was composed and carried in order that no differences of doctrine, or that two confessions should be retained in the same Church. Strafford and his colleagues would have the Church in England and in Ireland one and the same. A statesman of a very different stamp has now appeared, representing the University of Oxford, who would deny the wisdom as he could not appreciate the grandeur of Strafford’s policy for Ireland. The great Lord Deputy was hunted to death by the English Puritans, Irish lawyers and senators aiding in the sacrifice. The finest display of human

eloquence is Strafford's speech in defence of honour and life before the House of Lords. He was beheaded. As he walked to the scaffold he exclaimed, "Put not your faith in princes." The bell which announced the execution of his great minister to Charles was in truth the knell of his own fate.

All the elements of civil confusion were let loose in Ireland by the removal of Strafford. The civil war in England, the thunderstorm which burst over Ireland in 1641, devastated Church and State alike. A narrative of the sad events of 1641, written by Sir John Temple, gives a fearful picture of these fearful times.

I have no doubt that the plantation of Ulster led to the outbreak in 1641, which was contrived in order to expel the Protestant *settlers* and uproot the *settlement*, and naturally. What genuine Irish chief could tolerate a government of law and a system of order, leading to peaceful industry, and to the equality of all persons before the law? The chiefs were enraged at the spectacle of success reached by their industrious neighbours, and naturally offended by the presence and the circuits of learned judges who punished their crimes, controlled their passions, and humbled their pride.

Sir Phelim O'Neal, now chieftain of the

sept, held the opinions and was influenced by the policy of his clan, and had only one object, to extirpate the race and religion of England from the soil of Ireland.

Sir William Cole, writes Leland, a gentleman of Enniskillen, twice despatched messengers to the Lords Justices in Dublin (Oct., 1641) informing them of the plans of Sir Phelim O'Neal and his confederates, and the stupid officials did not believe, or would not act; and we know the bloody result.

The events which followed, down to the awful tragedy of the murder of King Charles, are full of interest and instruction. The great Duke, then marquis of Ormond, held Ireland to the last for his royal master. The disaffected Irish chieftains, having some grievances, established an association, which they called the Supreme Council, in Kilkenny; and the Pope (Innocent X.) sent over, with his accustomed beneficence, a legate, by name Rinuccini, either to direct the councils of the Kilkenny agitators, or to secure Ireland for the Papacy as best he could. The narrative of this foreign priest's doings may be read in "Leland's History," in "Carte's Life of the Duke of Ormond," in "D'Alton's Lives of the Archbishops." It is, no doubt, difficult to credit what we read of his audacity and ambition; but he was true

to his master, the Pope, and manifestly did not hold Lord Strafford's opinions of the necessity of excluding foreign interference in the affairs of Ireland. What is significant is, that Rinuccini was ever opposed to peace, ever in favour of war, and always contributed to defeat a settlement between Ormond and the Council in Kilkenny; whereby, possibly, Ireland might have been successfully held for Charles or become a place of refuge for his family, Cromwell excluded, and the practical grievances of the Roman Catholics fairly redressed.

Mr. D'Alton gives us a touch of his quality:

"The Nuncio, after this meeting in Waterford, joined Preston and O'Neill, proceeded to Kilkenny; imprisoned the leaders of the Council; appointed in its place another body, of which himself was to be president; *assumed the government of the kingdom*; excommunicated all who were instrumental in concluding the peace, and all who should afterwards adhere to or promote it; by all which acts he effected more towards the ruin of the cause he espoused than the machinations of its bitterest enemies could accomplish."

A terse description of the baneful effects of Papal intervention in the affairs of Ireland. When a peace was nigh concluded, Rinuccini insisted that, while our Church was

overthrown and our bishops expelled, the universities and schools should be regulated, and that all bishops should be appointed by the Pope. To his surprise, the Roman Catholic lawyers, who advised the Supreme Council, would not yield the point of the appointment of bishops. They contended for the domestic choice, and for the prerogative of the crown over the nomination of bishops. The Nuncio failed to carry this part of his scheme. It is impossible to believe, after reading such a narrative of this interesting discussion, that the Pope ever had the uncontrolled appointment of bishops in Ireland. At last a peace was concluded, in January, 1648, between Ormond and the Confederates; and a terrible impeachment was drawn up by the Roman Catholic Council against Rinuccini, and presented to the Pope. In this charge was represented:

“The manifold oppressions, transcendent crimes and capital offences, which he had been continually for three years past acting within the kingdom, to the unspeakable detriment of their religion, the ruin of the nation, and the dishonour of the See of Rome, which suffered much by his actions and proceedings in the nunciature.”

“And on the 23rd February,” writes

D'Alton, "the Nuncio bade farewell to a country which his intemperance had covered with widows and orphans—ruin and rancour."

We have thus recorded for our instruction what the usurpation of the government of Ireland by a Papal Nuncio is proved to have been.

Meanwhile, another great character appeared on the stage in Ireland—Oliver Cromwell—at the head of his trained Puritans; he swept everything before him. Resistance failed to check his bloody progress. Victory was followed by massacre—his excuse being that he came to avenge the crime of 1641. The terrible Puritan will never be forgotten in Ireland.

During the Usurpation, the Church was prosecuted, the Liturgy interdicted, and the Bishops were banished, or they fled. The Declaration of the Dublin clergy, refusing to obey the orders of the Directory, to exclude the Liturgy from their Churches, was unanimous. "It was drawn up," writes Dr. Mant, "with great reason, perspicuity, and eloquence."

They plead their solemn promise before God, at their ordination, that they would so minister the doctrine, and sacraments, and discipline of Christ, as the Lord hath

commanded, and as this Church and Realm hath received the same.

That they had taken the Oath of Supremacy, holding the King to be the only supreme governor of this realm, in all things, ecclesiastical as well as temporal, and that they did not conceive that to receive a Directory, or any other form, without the King's authority, could stand with this oath. Again they add:—

“The Book of Common Prayer being one main part of the Reformation in the Churches of England and Ireland, to lay it aside, and receive the Directory, or any other form, would be to depart from the communion of the Church of England and Ireland.”

Again, they added, that the Reformed Church of Ireland was a free National Church, and not subordinate to, or depending upon, the convocation of any other Church; and should they receive or admit of any other form, without the authority of this Church, they should be guilty of betraying the liberty of the free National Church of Ireland. The whole remonstrance is a masterly performance, and it proves, what is a cardinal fact in the history of the Reformed Church in Ireland and in England, that always, and under every trial

and persecution, it clung to the monarchy, upheld the supremacy of the Crown, excluded the foreign jurisdiction, and asserted the liberties of the nation.

Oliver Cromwell—but not his mighty memory—passes away, and the restoration of King Charles II. is effected.

THIRTEENTH EPOCH.

The Restoration.

We have arrived at another epoch in the chequered history of our Church. The State, I may say, being restored, it remained to be considered what was to be done with regard to the Church. Here again the Statesmen of England had to consider upon what principle the constitution in Ireland was to rest. They decided that it should rest upon the same principle as the constitution in England. That *the same* Church was to be connected with the *same* State in Ireland as in England. Were they not wise in their generation?

The Church has been connected with the property of the country from the beginning, and you will generally observe that attacks are made *pari passu*, against the land and the Church. And, in like manner, against

the Church and the Crown. To strike at the Church is to strike at the Crown.

Ireland had now passed, I may say, through a series of revolutions. The titles to the soil were conflicting, complicated, and irreconcilable. Every question relating to the landed property of the kingdom was in confusion. It was resolved, after the Restoration, that the settlement of the real property of the country should be undertaken. It was a labour of years, carried on by the ablest lawyers of the age. Sir Heneage Finch, afterwards *Lord Nottingham*, was sent over to Ireland to superintend the gigantic operation. At last it was accomplished, and the Statute by which it was enacted was named *The Act of Settlement*. It was followed by an Act of Explanation.

“The Duke of Ormond,” writes Carte, “in his opposition to the attacks on the settlement of Ireland, acted purely out of regard to the general good of the kingdom, which, in case the Acts had been repealed, would have been thrown back into all the confusions out of which they had been so lately delivered ; the consequences whereof would have been the more fatal, because the repeal of what had been so long and maturely considered, settled at last with the consent of all parties, and enacted with so much solemnity, would have left every body in utter despair of

ever seeing any final settlement. He was otherwise generally inclined to the Irish, and desirous to ease them of their grievances."

The foregoing description of the mischief and misery of overturning the Act of Settlement, is as practically applicable this day, as it was when written.

You will presently see the importance of this portion of Church and State history.

The Act of Settlement is, as you may suppose, of enormous length. It is now the fundamental law of property in the kingdom. From it are derived the estates and titles of thousands.

There are clauses in the Act of Settlement of historic interest. Charles II. was not unfriendly to the Roman Catholics: he is believed to have been a concealed one all his life; and you may remember Macaulay's graphic description of his death, and of the successful efforts of James, afterwards King, to find a monk who could or would shrive a King. Charles was wedded to a Roman Catholic. He remembered, on this occasion, that many of the Roman Catholic nobles and gentry of Ireland had adhered to the monarchy in the worst times, and he resolved that they should be restored to their estates and rank without further inquiry, as their sufferings in the cause of the Crown attested

their loyalty. Accordingly, Section 25 of the Act, relating to the Roman Catholic nobles and gentry, is to the effect following:—

“Whereas divers persons, for most of whom a general provision is made by this our declaration, have for reasons known unto us, in an especial manner merited our grace and favour; particularly the Earl of Clanricard, the Earl of Westmeath, the Earl of Fingal, the Earl of Clancartie, the Lord Viscount Gormanstown, the Lord Viscount Mountgarret, the Lord Viscount Dillon, the Lord Viscount Taaffe, the Lord Viscount Ikerryn, the Lord Viscount Nettervil, the Lord Viscount Galmoy, the Lord Viscount Mayo, the Lord Baron of Dunboyn, the Lord Baron of Trimletstown, the Lord Baron of Dunsany, the Lord Baron Upper Ossory, the Lord Birmingham, Baron of Arthurry, the Lord Baron of Strabane, Colonel Richard Butler, Sir George Hamilton, Knight and Baronet; Sir Richard Barnewel, Baronet; Sir Redmund Everard, Baronet; Sir Valentine Brown, Knight; Sir Thomas Sherlock, Knight, Sir Dermot O'Shaghnessey, Knight; Sir Daniel O'Byron, Knight; Colonel Christopher O'Bryan, Mr. Richard Belling, son to Sir Henry Belling, Knight; Richard Lane, of Tulske, Esq.; Mr. Edmund Fitzgerald, of Ballyvealo; Mr. Thomas Butler, of Kilconel; Mr. ——— Macnemara, of Creevagh; Mr. David Powre, of Kilbolane;

Mr. Donnogh O'Calaghane, of Clonmeen ; Mr. James Copinger, of Cloghane, in the county of Cork ; Mr. George Fitzgerald, of Ticrohane ; Mr. Barnard Talbot, of Rathdown ; and Couly Geoghegan, of Dromore. We hereby declare, that they and every of them without being put to any further proof, shall be restored to their former estates, according to the rules and directions in the last foregoing clause, of this our declaration, concerning such as continued with us or served faithfully under our ensigns."

We do not give all the names of the loyal Roman Catholics justly restored to their estates.

Thus we find a set of clauses restoring the property of many Roman Catholic noblemen and gentlemen, and we find another set of clauses restoring the property of the Church. Thus:—

" And whereas his Sacred Majesty, having under his serious consideration the present settlement of this kingdom, is very desirous to confirm and enlarge the designed bounty and goodness of his late royal father, of ever blessed memory, by adding to the revenue of the *Church* of this kingdom : be it therefore enacted and ordained by the King, our Sovereign Lord, with the assent of the Lords Spiritual and Temporal, and the Commons, in the present Parliament assembled, and by authority of the same, that

all and every, the manors, lands, tenements, and rents, whereof any Archbishop, Bishop, Deane and Chapter, or any other ecclesiastical person or persons whatsoever, in his or their public capacity, or any of them, were actually seized, or by themselves or their tenants possessed, in the year of our Lord, 1641, and out of which or any part thereof, they or any of them, through the fury and violence of the late times, have been since dispossessed, *be forthwith restored*, settled, and delivered, into the peaceable possession of the respective Archbishops, Bishops, Deans," &c., &c.

Again:—

“Impropriations or appropriate tithes forfeited, given to the Church *for ever*, and settled on the incumbents.”

Again we have a clause:—

“For erecting churches and maintenance of ministers, and the declaration, that out of every 100 acres forfeited, not yet distributed, two most convenient for the several parish churches shall be set apart for glebes. As to those already distributed, the possessors shall pay so much as sufficient to purchase the like quantity of land for glebe.

With other clauses to the like effect, favourable to the Church.

I will invite your attention hereafter to the

important evidence given to Parliament by the most eminent and learned of the Roman Catholics, upon the necessity of maintaining this fundamental State settlement.

Thus we perceive the policy of the statesmen who re-settled the constitution at the time of the Restoration, namely, to bind up the Church to the State, that both might stand or fall together. They have recorded their policy in fundamental statutes, which must be respected by all who respect the constitution.

From the Act of Settlement to the Act of Union.

The history of the reign of James II. is known, painfully known, to all of us. Unhappily for Ireland, the battle for the monarchy was again fought on her soil. In Scotland the struggle on behalf of the Stuarts was political, the Scotch moreover preferred their Stuart race. In Ireland the struggle was religious, the main object being to overthrow the Protestant religion, and establish the ascendancy of the Church of Rome. As a matter of course, the university, the land and the Church were attacked by James II. They naturally sided with King William and the reformed faith. The Parliament which King James summoned in Dublin was an infamous assembly. What

was proposed in regard to the Act of Settlement is thus narrated by the historian Dr. Leland:—

“The bill for repealing the Acts of Settlement was thus passed, with a preamble which exculpated the Irish from rebelling in 1641 ; and a clause whereby the real estates of all those who dwelt in any of the three kingdoms, and did not acknowledge King James’ power, or who aided or corresponded with those who rebelled against him, since the 1st day of August, 1688, were declared to be forfeited and vested in the king. Thus, by a strain of severity at once ridiculous and detestable, almost every Protestant in Ireland who could write was to be deprived of his estate.”

James II. failed to establish his tyranny, and he and his family were for ever excluded from the Crown of these Kingdoms. Ireland slowly recovered these repeated shocks, and her National Church was for a time unassailed.

I have invited your attention to the baneful effects of foreign interference by the Pope, in the reign of James I., directed to prevent the reconciliation of the Roman Catholics with the King and his Government, by excommunicating all who would take King James’s oath of allegiance. I have

now to invite your attention to a similar melancholy transaction, regarding an oath of allegiance at the restoration of Charles II., and when the Papal interference was attended with consequences more dismal to unhappy Ireland. At the date of the Restoration there were but three Roman Catholic Bishops in Ireland. Dr. O'Connor names them: "Edmund O'Reilly, of Armagh; Anthony MacGeoghagan, of Meath; and an old bed-ridden man, Owen O'Swiney, of Kilmore."

There was a very sensible priest then alive, called Father Peter Walsh, whose name and history cannot be forgotten. He said:—

This is the moment for us Catholics, who have been persecuted by the Puritans, under Cromwell, to reconcile ourselves and our country to the King of England, known to be favourable to our faith, and anxious to be reconciled to us. Let us, one and all, draw up a loyal address, expressive of our allegiance to the Crown, and confirm the address by an explicit oath of allegiance, if required.

The three Bishops I have named, and many of the Roman Catholic clergy, signed a document, appointing Father Walsh their agent in London, to manage this business cleverly on their behalf, which he was com

petent to do. Ormond was friendly to the movement of the loyal Catholics. Signatures were attached daily to the address. Meanwhile, a pretended plot to seize Dublin Castle having been announced as emanating from the Irish Roman Catholics, the nobles, gentry, laity, and many of the native clergy assembled in Dublin, and signed a *Remonstrance*, or address to the King, breathing a true spirit of loyalty to his person and crown. This celebrated document was drawn by Richard Belling, and will be found in full at page 148 of Dr. O'Connor's volume "*On the Calamities occasioned (to Ireland) by Foreign influence in the Nomination of Bishops.*" It is an admirable confession of a sound political faith:—

"We confess and declare, that notwithstanding any power or pretension of the Pope, or See of Rome, or any sentence or declaration, of what kind or quality whatever, given, or to be given by the Pope, his predecessors or successors, or by any authority spiritual or temporal, proceeding or derived from him or his See, against your Majesty or royal authority, we will still acknowledge and perform to the uttermost of our abilities, our faithful loyalty and true allegiance to your Majesty."

Belling, being a well read man, and really

zealous in his task, explained to the Irish nobles and gentry of his Church, that his political confession of faith was taken from a printed declaration which had been adopted by the Catholics of England in 1640, and on their behalf presented to Parliament. Belling also taught the Irish that there had been a *Remonstrance* against the Pope's pretended deposing power, signed by seven English Roman Catholic noblemen, and by twenty-seven of the oldest squires of that religion in England, and presented to Sir J. Fairfax, which differed little from the remonstrance he drew up for them to sign. The Roman Catholic nobility and gentry in Dublin heartily approved of Belling's performance, signed his remonstrance unanimously, and entrusted it wisely to Lord Fingal, who was to forward same to Father Walsh to work upon in London.

Father Walsh had got a number of signatures forwarded to him from expelled priests and prelates of his Church, to be affixed to his Remonstrance, but he found that others refused to sign till they were informed what the Court of Rome would think about the Remonstrance. The Duke of Ormond dreaded the interference of Rome lest it should be directed to prevent the signing by the Roman Catholic clergy under its control.

But the Irish nobility and gentry, perceiving their danger, and that not only their loyalty, but their estates were at stake, declared boldly that they would not be influenced in a matter, vital to them and their posterity, by a Legate or a Nuncio from Rome. Accordingly, they assembled at Lord Clanrickard's house, in Dublin, and there, without an exception, signed the Remonstrance. When signed, they had it presented to the King by a committee chosen by themselves, with the Lord Tirconnel at their head. His Majesty received it graciously, and returned the original Remonstrance signed by 97 of the principal persons in Ireland of the Roman Catholic faith, to Tirconnel, to preserve, requesting a copy to be left with him for his guidance. Walsh's Remonstrance was signed chiefly by Roman Catholic clergy, and was also presented to the King.

It soon appeared that the apprehensions of Ormond were well founded. The Nuncio at Brussels assumed the jurisdiction over the Roman Catholic clergy in Ireland, after the expulsion of Rinuccini, and he at once denounced the Remonstrance, and nicknamed those who signed it *Welsian heretics*, in order to separate them from that sensible man, Father Walsh.

The Nuncio added "that the Remonstrance contained damnable doctrines, which were condemned by two pontiffs in succession, Paul V. and Innocent X., when King James had proposed his oath of allegiance, in 1606, and he declared that this infamous Remonstrance would injure the Church *more than any former persecution*; and, finally, the mischievous foreign priest exhorted the Irish to martyrdom, rather than, by signing such a damnable document, to apostatise."

I now finish this mournful chapter by quoting the noble and touching language of Dr. O'Connor on this crisis of our domestic history:—

"Here, then, was Ormond on one side, trying to avail himself of the good sense, and there were the Rinuccini Bishops on the other, availing themselves of the nonsense of the Irish nation; and that too, at a time when our hereditary properties, our ancient estates, the most ancient, perhaps, in the world, depended on the Act of Settlement!

"Gracious Heaven!—Must I be compelled to state, with shame and anguish, that it was an unequal contest; that the foreign-influenced Bishops knew the temper of which the Irish rabble were composed; that the stoutest hearts, whom no sword could conquer, and no danger could appal, trembled before an Episcopal

Censure, whether just or unjust ; and that, with such stuff to work upon, everything could be carried, and was carried, against the dearest interests, the properties, and the genuine Religion of our honest ancestors, by an infamous excommunication ?”

Now, what were the effects of the excommunication upon the Irish Roman Catholic clergy ?

“ Scared by censures, overawed by menaces, threatened with deprivations, in many instances deprived of their livings, expelled from their country, and driven to hide themselves in holes and corners in London, or imprisoned by breach of faith in foreign countries, as shall be seen in the sequel, the second order of our clergy gradually shrunk from a contest, in which they were not convinced by argument, but overwhelmed by power ; their rights, their independence, their noble fortitude, without which religion is often nothing better than hypocrisy, sunk into a chasm, which the deaths of a Lynch, a Walsh, a Carron, have caused in our history ; and the officiating clergy feel the shock to this day ! Methinks, however, that the ghosts of these great and good men occasionally beckon to the genius of their country ; and that calling upon us, by all that we owe them for their Christian fortitude, they summon us from the lethargy in which we so fatally repose, to vindicate their memories against the

atrocious calumnies of the ignorant, the ungrateful, the unprincipled, and the hypocritical revilers of their names—‘*Exoriare aliquis nostris ex ossibus ultor.*’ ”

And what, to their everlasting honour, was the conduct of the Roman Catholic nobility and gentry?

“ Such was the fate of the Irish clergy. But the nobility and gentry were not so easily subdued.—Mindful of their imprisonment in 1646, and of the many indignities offered to them by the Rinuccini Crew ever after, they and the Catholic barristers rose as one man against the *Clerico-Political* faction of their times ; and the aspect of those times was so dark and lowering, that the most daring of the Roman courtiers themselves began to be apprehensive of the result. For know, my countrymen, that the property of Catholic Ireland was then at stake. The Act of Settlement was yet in agitation. The favourable issue of that great question depended on the proofs of the loyalty of our gentry, in despite of foreign intrigues ; and the strongest evidence of that loyalty rested on the cheerful subscription of the Remonstrance, and the hearty concurrence of our people, with the tried loyalty of such men as an Ormond, a Clanrickard, a Castlehaven, and a Fingal.”

The result so far as regarded the clergy of the Church of Rome in Ireland was to

render them distrusted and dreaded by the State. So far as the Roman Catholic noblemen and gentry were concerned, the happy result was, that their loyal remonstrance was accepted, and they who signed and others were restored to their estates, and their names are honourably mentioned in the Act of Settlement. Several of these ancient families now profess the faith of the Reformed Church, while many Roman Catholic families descended from those who signed the remonstrance, refused to connect their honoured names with foreign advisers of their Church, who now attack the Act of Settlement which secures the property of so many Roman Catholic noblemen and gentlemen, while it equally secures the property of the Church. It is after a careful survey of the transactions we have been considering, epoch by epoch, that we feel constrained to repeat the practical question, when would it have been safe for the State to have connected itself with the foreign-influenced Church of Rome in Ireland? and what caviller can now dispute the wisdom of the statesmen and sovereigns who connected the Crown and the State in Ireland with a Church not only linked with the landed property of the country, but politically safe, and scripturally true, in preference to a

Church whose foreign rulers interdicted laymen and priests alike from declaring their loyalty and confessing their allegiance to their lawful king.

This opens another curious chapter in our domestic history. King James, although expelled, continued to appoint the Bishops of the Church of Rome in Ireland with the co-operation of the Pope. The very question was put to the celebrated Dr. Doyle (Roman Catholic Bishop), in his examination before the House of Commons' Committee, thus:—

“ Was the right of appointing to the Roman Catholic Bishoprics of Ireland ever practically exercised by James II? *Answer*—Yes. I should think it was, and also by Mary, previous to the accession of the Stuarts. *Question*.—Do you think it was exercised by James II. before his arrival in Ireland. *Answer*.—Yes. During the entire of his reign. *Question*.—After his abdication, do you think he practically exercised that right? I am sure, after his abdication, or his expulsion from these countries, that he did recommend, whilst in France, individuals to the Pope, which individuals were appointed to Bishoprics in Ireland, *and not only he, but his son after him.*”

The fact that these Bishops were secretly the agents of the Stuarts in Ireland, is more

fully developed in the very interesting Biography of Bishop Doyle, recently published by Mr. ——— Fitzpatrick, himself, a Roman Catholic gentleman of literary tastes and ability. In that book I find the following revelation in the course of a description of the effect produced on the English mind by the evidence of Dr. Doyle before the committee already referred to:—

“Many highly interesting facts, historical and otherwise, transpired. They excited an intense interest, not only in great Britain but on the continent. The *Etoile* says: ‘Among the answers which the Bishop of Kildare has given with so much frankness to the questions of the Committee is found an historical exposition of the highest interest. It was not known before, that until the death of the last of the Stuarts, the Pretender had always nominated to the vacant Sees in Ireland. The English Government with all its gold, had never been able to get at this secret, and when we reflect that it had been in the keeping of 10,000 individuals, so admirable an example of guarded fidelity towards their *legitimate Sovereign* recalls to recollection, that the only General of Maria Theresa, whom the King of Prussia despaired of being able to corrupt was an *Irishman*, and that our unfortunate Louis XVI. had no more faithful defenders than the Irish attached to his service. M. Le Baron

Henrion in his *Histoire de L'Eglise* refers to this revelation of Dr. Doyle as '*tres curieuse*' and adds—that the manner in which the custom was worked out proved '*aussi honorable pour le saint siage que pour le clergé Irlandais.*' The Baron reviews the entire of Dr. Doyle's evidence, and declared that it displayed not less '*abandon*' and manly unreserve than the Committee evinced a miserable spirit of curiosity, caution, and cunning."*

From what we have been considering it is not surprising a further question of a searching character should have been put by the Committee of the Commons to Dr. Doyle as a witness.

"*Question.* Was there anything in the conduct of the Roman Catholics, in your opinion, during the reign of the Stuarts, that justified the English parliament in passing the penal laws against them ?

"*Answer.* Yes ; I think at that time the connection of the Roman Catholics with the Stuarts, was such as justified, and even made it necessary, for the English government to pass some penal laws against the Catholics, such as the excluding them from offices of trust and,

* In a letter published by Mr. Fitzpatrick since my lecture, he states that the narrative printed in the *Etoile* was from the pen of M. Sheil, a brilliant member of the Roman Catholic Church.

perhaps, even from the councils of the sovereign ; but I think that the necessity which existed, and which certainly would justify, perhaps demand of the government, to pass certain restrictive laws against the Roman Catholics, could not justify them in passing the very harsh and unnatural laws which abounded in the penal code.

“ Question. Inasmuch as that conduct was hostile to the principle of the constitution of England and civil liberty, are you of opinion that they were, in that degree, justifiable ?

“ Answer. I do think they were justifiable ; nay, that it was their duty to pass restrictive laws against the Catholics, considering the political principles of the Catholics of that period.”

There was a great deal of frankness and honesty in this evidence, as there was of national feeling in the character of Dr. Doyle. He seems to have had a great respect for the creed and formularies of the Reformed Church ; and went so far as to suggest a reconciliation between the Churches of England and of Rome.

I regret he was not asked this further question : “ In your opinion, considering what you have stated as a witness, touching the past history of Ireland, would it have been politic, wise, or safe, for the Protestant state of England to have connected itself with the Church of Rome, as it existed and

was governed in Ireland, in preference to the Reformed Church?"

We can hardly doubt he would have answered: "It would, in my judgment, have been an act of consummate folly."

Effect of that Struggle till we approach the period of the Union.

Prior to the Treaty of Union, our great countryman Burke thus expressed himself upon the title of our Church to its property, upon the duty of Government towards the Church, and upon the value of the Church as the connecting link between the two kingdoms:—

"That the property of the Church is a favoured and privileged property I readily admit. It is made so with great wisdom, since *a perpetual body with a perpetual duty ought to have a perpetual provision.*"—[A sound principle.]

"As to government, if I might recommend a prudent caution to them, it would be to innovate as little as possible upon speculation in establishments, from which, as they stand, they experience no material inconvenience to the repose of the country—QUIETA NON MOVERE.

"There never has been a religion of the State (the few years of the Parliament only excepted) but that of the Episcopal Church of England, . . . nor did the fundamental laws of this kingdom

(*in Ireland it has been the same*) ever know at any period any other Church as an object of establishment."

Again—

"It is a great link towards holding fast the connexion of religion with the state, and for keeping these two islands in their present actual independence of constitution, in a close connection of opinion and affection. I wish it well, as the religion of the greatest number of *the primary land proprietors of the kingdom*, with whom all establishments of church and state, for strong political reasons, ought, in my opinion, to be warmly connected. I wish it well, because it is more closely combined than any other of the church systems with the crown, which is the stay of the mixed constitution ; because it is, as things now stand, the sole connecting political principle between the constitutions of the two independent kingdoms."

As at the Restoration, so at the Revolution, the Church was raised and restored with the settlement of the Crown.

FOURTEENTH EPOCH.

From the Act of Union to the Act of Emancipation.

Before the Act of Union many concessions had been made by the Irish Parliament to the

Roman Catholics. Amongst them was one concession of a very dangerous kind, and which afterwards led to great consequences, namely, the privilege of voting granted to the Roman Catholic 40s. freeholders. These voters were for the most part very ignorant and very poor, and according to the wiseacres in the Irish Senate, it was safe and politic to invest such a class—the most numerous and ignorant—with power to elect, while the highest of the Roman Catholic gentry or nobility were excluded from being elected.

The landlords forgot the priests, who ultimately turned this electoral power against those by whom it was unreflectingly created. The disturbances, rebellions, and revolutions of which Ireland had been the theatre, the state of Europe, the long experience of the extreme difficulty of managing two Parliaments, the peculiar legislation of the Parliament of Ireland, rendered it an object of paramount importance to England to effect a legislative union between the two kingdoms. Her difficulty was to persuade the Parliament of Ireland to surrender its independent existence. The English minister was William Pitt, a statesman of transcendent genius; the Irish minister was Lord Castlereagh, then young, but who afterwards, with another illustrious Irishman, the Duke of

Wellington, played a conspicuous part in the affairs of Europe.

Energetic and resolved as they were, they found the business they had undertaken exceedingly difficult. The Protestant gentry were in general opposed to the measure of the Union; therefore, it became judicious to heap titles and places upon them, and to tickle the Roman Catholics.

The memoirs and correspondence of Lord Castlereagh have been published, and it now appears that the Roman Catholic bishops and nobles were in the plot, and were doing all they could to carry the Union. Dr. Troy, Archbishop here, was closely engaged with Lord Castlereagh in this affair, and for his services then, and for his general loyalty, he long enjoyed a pension from the British government.

Lord Cornwallis, Lord Lieutenant, in Dec., 1798, thus writes to the Duke of Portland, a cabinet minister in England:—

“I am happy to observe that the leading Catholics, notwithstanding the measure is understood by them to be unconnected with any immediate extension of constitutional privileges to their communion, express themselves highly in its favour. * * * * *

Lord Castlereagh has seen Dr. Troy, and finds his sentiments perfectly correspondent with those

of my Lord Fingall and Lord Kenmare. He expressed himself perfectly satisfied, provided no bar to their future hopes made a part of the measure, and was ready to use his utmost influence in its support. Upon the whole, it appears to me, as far as the dispositions of the Catholics have yet disclosed themselves, that there is every reason to expect from them a preference for the measure. An active support from that body would not perhaps be advantageous to the success of the Union. It would particularly increase the jealousy of the Protestants, and render them less inclined to the question."

I suspect the bishops of the Church of Rome were terrified by the French Revolution and the Irish Rebellion, and by the democratic and infidel spirit of the times; and being also apprehensive that the Irish Parliament would not, and that Pitt would recommend salaries for themselves, they lent their powerful, though secret, assistance to carry out the designs of Pitt and Castlereagh and to effect the Union.

O'Connell took the opposite view, and once put into my hand his first speech made at a public meeting held in the Exchange against the Union, in which he agreed that it would be better to trust to the Irish Parliament who had conceded so much, that they would concede the rest, than to surren-

der to the British Minister the existence of our native Parliament.

The English Ministers saw clearly that if the Roman Catholics once could believe that the Irish Parliament would grant Emancipation, the Union never would be carried, and therefore they directed Castlereagh to impress his Roman Catholic allies with the idea that the Protestants would never emancipate them. But to persuade the Protestants to surrender the Parliament, which in one form or other, they had enjoyed for 500 years and more, could only be done in one way, namely, by guaranteeing the maintenance of the Protestant religion and Established Church in Ireland for ever. The treaty of Union between two independent powers, *i.e.*, the Parliaments of two Kingdoms proceeds accordingly on the basis that the Church established here is to be united legally as it had been long before doctrinally with the Church in England, and religiously preserved; if that basis be disturbed the superstructure falls.

The words of Lord Castlereagh in proposing the Union to the Irish House of Commons are very remarkable. He says:—

“I now proceed to that part of the question which concerns religion, and the Church

Establishment of the country—one State, one Legislature, one Church. These are the leading features of the system, and without identity with Great Britain *in those three great points of connexion*, we never can hope for any real or permanent security. The Church, in particular, while we remain a separate country, will ever be liable to be impeached on local grounds. When once *incorporated with the Church of England it will be placed upon such a strong and natural foundation as to be above every apprehension and fear from adverse interest*, and from all the fretting and irritating circumstances connected with our colonial situation. As soon as the Church Establishments of the two kingdoms shall be incorporated into *one Church*, the Protestant will feel himself at once identified WITH THE POPULATION and property of the empire, and the establishment will be placed on its natural basis."

You perceive Castlereagh argues that once the Church in Ireland is identified with the Church in England, the question of minorities or majorities in Ireland ends, because there is but one state, and in that single state one Church; and if you regard the three kingdoms as one state, Protestants are in a vast majority over Roman Catholics. To separate Ireland is to undo the Union, by rejecting the very argument on which it rests.

We might as properly speak of two armies or two navies as of two churches.

All the arrangements made at the Union as to the manner in which our bishops should sit in the House of Lords, prove how thoroughly this identification of the Churches was regarded as material. Then we turn to the language of the 5th Article of the Treaty of Union:—

“That the Churches of England and Ireland, *as now by law Established*, be united into *one* Protestant Episcopal Church, to be called ‘The United Church of England and Ireland;’ and that the doctrine, worship, discipline, and government of the said United Church shall be, and shall remain in full force *for ever*, as the same are now by law established for the Church of England; and that the continuance and preservation of the said United Church *as the Established Church of England and Ireland shall be deemed, and taken to be an essential and fundamental part of the Union.*”

No language could be employed more explicit or more precise.

The joint address of both houses after the discussion on the several articles of the Union contains the following expressions on their effect:—

“Shall at the same time contribute in the

most effectual manner to the improvement of the commerce, the security of the religion, and the preservation of the liberties of your Majesty's subjects in Ireland."

What religion was that the securing which was of such importance? The Protestant, and none other.

When we enquire what was the effect and operation of this Treaty reduced into a written law, an answer may be found in the exposition given by Mr. Napier to a committee of the House of Commons, where the very question was put to him as a witness:—

"Was not the Act of Union founded upon certain resolutions which had been passed the year before, both in the English and Irish House of Commons?"

"*Answer.* The Act of Union was a great international treaty, one of those great foundations which make it a fundamental law in its very nature and character."

"Similar to Magna Charta, would you say?"

"I think, if I might say so, possibly greater, *because upsetting the Act of Union would involve the dismembering of the Empire. I look upon it, from the peculiar nature of an incorporate union of that kind, that the weaker state would have no protection, if there was not in the very nature of the Union an essential protection growing out of its fundamental*

character. There may be matters of regulation afterwards affecting it, to a certain extent ; but I think all jurists treat a law of that kind, as in its very nature so fundamental, that in fact you can hardly contemplate its subversion."

"Then upsetting it would, in fact, be a revolution, in your opinion?"

"Yes ; it was twice debated in Parliament, in 1834 and 1843, and I think that the expression of all the ministers then was, that the whole moral, physical, and legislative power of the country should be called in aid to prevent 'the dismemberment of the Empire.'"

"Therefore, the repeal of any one provision is contrary to the powers of the present Parliament, in your opinion?"

"Clearly so, as an unconstitutional exercise of their power, *if the provision is fundamental.*"

Lord Ellenborough, formerly Lord Chief Justice of England, pronounced his opinion that the fundamental Article of the Union was that relating to the United Church.

In the course of a luminous judgment, in a legal question, pending in the House of Lords, Lord Lyndhurst thus lays down the effect of the union of the Church in England and in Ireland:—

"The two Churches of England and Ireland, the same in doctrine, in ceremony, and in dis-

cipline, have been united ; and the same law which applies to each Church in its separate state, has become the *law of the United Church*."

You may perceive, from this statement, how impossible it is for any honest or just person to contend, that immediately after the treaty of Union was effected, one of the contracting parties—the strongest—could nullify or overturn the fundamental conditions, upon which the weaker party allowed the Union to be carried. The injustice and the treachery of the argument are transparent.

What, then, can Parliament, it may be asked, do, in regard to the Irish Church Establishment? I reply, everything it may do with the English Church Establishment, on the same principle, and for the same good purposes of amendment, reform, or correction of abuses, so as to render the Church more efficient to work out its divine mission. It can lawfully legislate upon no other principle, and for no other object,

I may add, that in the private correspondence with Lord Castlereagh and his friends, before the Union, the Roman Catholic prelates never even hinted at a desire to overthrow the Establishment—the very reverse, as a single quotation will sufficiently prove:—

“Dr. Moylan to Sir John C. Heppessley,— Looks to a decent support of the Catholic clergy of this kingdom : something should be, at the same time, or previous to it, done for the relief of the poor people of this country. There is one object that would peculiarly claim their attention, I mean the mode heretofore followed of collecting tithes by proctors. *Far be it from me to harbour the most distant* idea of lessening, in the smallest degree, the income of the gentlemen of the Established Church ; but I am *convinced*, that unless the mode of collecting the tithes be changed, it will be an annual source of disaffection. This is the opinion of the best friend of the government, and of many Right Rev. Prelates of the Established Church.”

Therefore, the case of the Church, in the intent, language, and object of the Act of Union, is impregnable.

The language to be held on this subject should be: if our English brethren choose to overturn our Church against our will, in order to conciliate the *new* coalition, they will, assuredly, endanger the Union, which many think entails upon our city and country serious disadvantages. The evidence referred to hereafter, will establish this assertion conclusively.

FIFTEENTH EPOCH.

From the Treaty of Union to the Act of Emancipation.

Soon after the Union was carried, the efforts to obtain Emancipation were begun; the discussions on the veto, on the securities to be given to the state, and for the preservation of the property of the Church became no less interesting than exciting. The Roman Catholic body professed their anxiety to satisfy the scruples of the most suspicious petitioners upon these points, especially in regard to the Act of Settlement and the property of the Church. Amongst the distinguished Roman Catholics who wrote upon these agitating subjects, two deserve especial attention—Thomas Moore, the poet, and the learned priest Dr. O'Connor, who wrote under the title of *Columbanus*. Their opinions are of great practical importance when we perceive the effect of a modern usurpation on the part of the Pope, by his assuming to nominate bishops in Ireland by his sole authority and will. In 1810, notwithstanding all we now know passed between Lord Castlereagh and the Roman Catholic prelates at or

before the Treaty of Union, resolutions were passed at a meeting of the laity in Dublin, and seemingly affirmed by the bishops, denouncing the idea of giving to the crown the least control over the appointment of bishops in the Roman Catholic Church.

The arguments of the delightful poet, whose lyrics will ravish the ears of the lovers of melody while the language lasts, are highly constitutional and truly Catholic. In reference to the proposed pledge to allow the veto, he writes:—

“This is the pledge to whose pretended inexpediency the bigoted and the factious would not hesitate to sacrifice the freedom of Ireland and the harmony of the whole empire, more wicked in their folly than that people of antiquity, who set a fly upon an altar, and sacrificed an ox to it!

“With respect to the supremacy of the Pope, it has not, I believe, been asserted, even by those who possess most facility of assertion, that his interference in the nomination of bishops, any farther than the form of recognition, or his exercise of an appellatory jurisdiction upon matters relating to discipline, are, in any degree, necessary to the existence or purity of a Catholic hierarchy. Indeed, the example of the Gallican church, so long free and so long illustrious, sufficiently proves the full compatibility of liberty

with reverence, of independence with orthodoxy. From the conflict which her enlightened divines maintained against the pretensions of Rome, your religion rose purer and firmer than it had stood for many ages before, and those slavish notions of papal authority which had been taken up in times of darkness, and clung to during the storm of the Reformation, were cast off, as insulting alike to piety and common sense. The deposing power of the Pope, his personal infallibility, and all those absurd attributes which degraded the Church more than they elevated the Pontiff, were then indignantly rejected from your belief, and consigned to that contemptuous oblivion, from which even the malicious industry of your enemies has been unable to call them up in judgment against you."

He confirms Ussher:—

"But neither by France nor by Catholic England was the interference of Rome more effectually excluded, than by Ireland herself, during the times of her native monarchy. However far the learned Ussher may have carried his hypothesis with respect to the religion of the early Irish, the testimonies which he cites abundantly prove that to as late a period as the twelfth century, the Pope had not exercised a legatine authority in Ireland, nor taken any share in the election of her bishops or archbishops; and how little inclined your ancestors of those days were to abide by a

papal decision, even in matters of canonical regulation, appears by their obstinate dissent from the Romish observance of Easter—a schism in which they were encouraged by some of your most celebrated Saints, whose anti-canonical boldness is, however, sufficiently justified by their canonization.”

In reference to the election of bishops, he adds:—

“It is worse than absurdity to expect that the precautions and prejudices adopted upon both sides during that dark season of mutual ill-will, should now be surrendered by one of the parties, while they are cautiously kept in full force by the other, and that Protestants should throw away the last fragment of the penal sword, while the Papal stiletto is still in the hands of Catholics—it is folly to expect, and insult to ask it! The subjection of your church to the Pope was the consequence of your political misfortunes, and, even granting that the continuance of this yoke is consistent with the freedom which you ask for, (a position which you yourselves have, in all times and countries, denied), yet, by unnecessarily preserving such a memorial of your former alienation, you perpetuate the remembrance of times which it is the interest of all parties to forget—you withhold that reciprocity of sacrifice which alone makes reconciliation satisfactory, and you take all its grace from the gift of liberty by

ungenerously declaring that you distrust the giver. In short, it shews an ignorance of the commonest feelings of human nature, to suppose that the present possessors of the state would willingly admit you to a share, upon such very unequal terms, or that, as long as you cling close to the Court of Rome, you can be cordially embraced by the British Constitution."

Excellent—the Stiletto!

"The Protestants fear to entrust their Constitution to you, as long as you continue under the influence of the Pope, and your reason for continuing under the influence of the Pope, is that you fear to entrust your Church to the Protestants. Now, I have shewn, I think, in the preceding pages, that their alarm is natural, just and well-founded, while yours is unmeaning, groundless and ungenerous. It cannot, therefore, be doubted by which of you the point should be conceded. The bigots of both sects are equally detestable, but if I were compelled to choose between them, I should certainly prefer those who have the Constitution on their side."

The value of Moore's argument is, that the State could not safely connect itself with the Roman Catholic laity by admitting them to political power unless concessions were made which would lessen or destroy the foreign influence over the Roman Catholic Church

and laity, but the same argument strikingly proves how absurd it would have been for the State to connect itself with that Church in preference to the domestic, loyal, and Scriptural Church of the Reformation.

Explanation of the views of Statesmen in regard to the Church, previous to and at the time of Emancipation.

You are aware that the late Sir Robert Peel for many years opposed Plunket in his splendid efforts to carry Catholic emancipation. Plunket represented our university, and I need hardly say could not advocate a measure which he believed would have been subversive of the Church.

The literary executors of the deceased statesman have published the memoranda written by Sir Robert Peel of his apparently inconsistent conduct on this great subject. It is a very instructive piece of political history. We are admitted as it were to a knowledge of his innermost thoughts upon a matter which affects deeply our Church and our country.

Sir Robert Peel thus unbosoms himself:—

“It appeared to me that the question of Catholic Emancipation was one much more complicated and extensive in its bearings than it was

considered to be by the greater part of the very able and distinguished men who supported the claims of the Roman Catholics. Adverting to the past history of Ireland, her geographical position, her social state in respect to the tenure of property, and the number and religious denominations of her people, I thought it would be extremely difficult to reconcile the perfect equality of civil privilege, or rather the *bonâ fide* practical application of that principle, with those objects on the inviolable maintenance of which the friends and opponents of Catholic Emancipation were completely agreed, *namely, the Legislative Union, and the Established Church in Ireland as guaranteed by the Act of Union.*"

These are weighty words:—

"The Relief Act of Mr. Grattan, introduced in 1813, declared in its preamble that the Protestant Episcopal Church of England and Ireland *was established permanently and inviolably*, and that it would tend to promote the interest of the same, and to strengthen the free constitution of which it is an essential part, if the disqualifications under which the Roman Catholics laboured were removed."

Note this well:—

"It assumed that such removal would put an end to all religious jealousies between his Majesty's subjects, and bury in oblivion all animosities between Great Britain and Ireland.

I did not participate in the opinions and anticipations thus expressed."

A very safe prophecy.

Next we read how well Sir Robert Peel distinguished the Roman Catholic Church from the Dissenting communities:—

"The Roman Catholic Church, with its historical associations, its system of complete organization and discipline, its peculiar tenets and ministrations calculated and intended to exercise a control, *not merely spiritual*, over those who profess its faith, is an institution wholly differing in its political bearings and influence from other forms of religious belief not in accordance with the Established Church."

Here we have a brief description of a marvellous organization, viz., the Church of Rome.

Again, the possible danger to the Protestant *interest* is the thing regarded by Pitt:—

"Shortly before his decease, Mr. Pitt had declared his opinion, that in no possible case previous to the Union could the privileges demanded by the Roman Catholics be given consistently *with a due regard to the Protestant interest in Ireland*, to the internal tranquillity of that kingdom, the frame and structure of our constitution, or the probability of the permanent connection of Ireland with this country."

Here we have Peel affirming what we know to have been the settled conviction of Plunket:—

“Nearly twenty years afterwards Mr. Plunket avowed his opinion, that speaking of the Protestant Established Church in a political point of view, he had *no hesitation to state that the existence of it was the great bond of Union between the two countries.*”

Observe this all important opinion of the greatest advocate the Roman Catholics ever had.

Sir Robert Peel holding the opinions of these famous statesmen, Pitt, Grattan, Plunket, upon the necessity of upholding the Union and the Church, refused for a long time to concur in the emancipation of the Roman Catholics as proposed, lest the Church or Union might be jeopardized. We must proceed to consider the evidence by which Sir Robert Peel and the Parliament were influenced to yield assent to the measure of emancipation, and to consider also the safeguards laid down for the maintenance of the Established Church and the Protestant religion.

It is good to revive the memory of these transactions at such a crisis as the present.

We now, therefore, enter upon a very delicate and important portion of our inquiry, namely, the history of the events, *i. e.* the statement of the evidence which induced Parliament to pass the Emancipation Act and accept its provisions; evidence, of which we may charitably hope Archbishop Cullen was entirely ignorant at the Rotundo meeting, when he proposed a resolution binding that meeting to take active measures to overthrow the Church established in Ireland. I find that the predecessor of Archbishop Cullen was examined before a Select Committee of the House of Commons on the state of Ireland, March, 1825. Permit me to read the "evidence of Archbishop Murray on Church property:"—

"Question. Have you any reason to think, that in the minds of any part of the Roman Catholic clergy, there exists any hope or any wish to interfere with the temporal possessions of the Established Church?

"Answer. Not the least; there is no wish on the part of the Roman Catholic clergy to disturb the present Establishment, or to partake of any part of the wealth it enjoys.

"Question. Nor any objection to give the most full and entire assurance on that subject, by any declaration that may be required of them?

"Answer. Not the least."

Nothing could be more absolute, unconditional, or satisfactory than that evidence, nor more calculated to overcome the scruples of a hesitating Parliament.

Bishop Doyle says on his oath, before a Committee of the House of Lords:—

“I conceive that the removal of the disqualification under which Roman Catholics labour, would *lessen considerably those feelings of opposition, which they may at present entertain with regard to the Establishment.* The country would settle down into a habit of quiet.”

I will next read an extract from the declaration and oath of the Roman Catholic Bishops, 1826:—

“The Catholics of Ireland, far from claiming any right or title to forfeited lands, resulting from any right, title, or interest, which their ancestors may have had therein, declare upon oath, that they will defend, to the utmost of their power, *the settlement and arrangement of property in this country, as established by the laws now in being.* They also disclaim, disavow, and solemnly abjure any intention *to subvert the present Church Establishment,* for the purpose of substituting a Catholic Establishment in its stead. And further, they swear that they will not exercise any privilege to which they are or may be entitled, to disturb and weaken the Pro-

testant religion and Protestant Government in Ireland."

I append the names of the Prelates who signed this memorable document:—

† Patrick Curtis,	† Daniel Murray,
† Oliver Kelly,	† Robert Laffan,
† Farrell O'Reilly,	† J. O'Shaughnessy,
† Peter M'Loughlin,	† Thomas Costello,
† James Magauran,	† Kearan Marum,
† Geo. T. Plunkett,	† Peter Waldron,
† James Keating,	† John Murphy,
† Charles Tuohy,	† James Doyle,
† Edward Kiernan,	† P. M'Nicholas,
† Patrick Kelly,	† P. M'Gettigan,
† Cornelius Egan,	† Edmund French,
† William Crolly,	† Thomas Coen,
† Patrick Maguire,	† Robert Logan,
† Patrick M'Mahon,	† Patrick Burke,
† John M'Hale,	† John Ryan.

It is impossible for any declaration to be more emphatic or more binding; and there is a very important consideration touching this public and official document, signed by the late Archbishop Murray, Archbishop M'Hale, and all the other Roman Catholic Bishops of this day. Although not signed by Archbishop Cullen, it surely ought to bind him in conscience, inasmuch as it was drawn up and signed by the Irish Roman Catholic Pre-

lates, in order to affect the mind of Parliament, and can only be regarded as an official act, equally binding on the successors as upon those who actually signed same. Otherwise, it would be impossible ever to act on the evidence of an existing body, as obligatory upon their successors.

We shall next produce the evidence of Mr. O'Connell before the Committee of the House of Lords, on the state of Ireland, 11th March, 1825:—

“ DANIEL O'CONNELL, ESQ.

“ *Question.* What are the facts upon which the conscientious opponents of the claims of further privileges to the Catholics rest, and upon which you think, if better informed, they would withdraw their opposition ?

“ *Answer.* We understand that some extremely high names, and there cannot be higher possibly than some of them, rest their opposition *on the danger of the reassumption of the forfeited estates.* There were opinions published of persons of rank and weight, that the Catholics, if admitted to the administration of justice, would not do equal justice to Protestants as well as Catholics—opinions that Catholics looked for the establishment of their Church in the room of the present Established Church—that *they looked for a transfer of the ecclesiastical property*—that they looked for the means of opposing the Protestants of Ireland,

and obtaining a Catholic ascendancy in the room of the Protestants. These appear to me, from my present recollection, to be the facts upon which it seems there is a conscientious objection to the admission of the Catholics; and I should wish to say, *that if they were founded, or any of them founded, I should certainly admit them to be most valid objections to Catholic Emancipation. I know that there is not the least danger of the reassumption of forfeited estates.* The forfeited estates are of two natures—estates which belonged to the Church when it was a Roman Catholic Church, and estates which belonged to individuals who were Catholics, and forfeited. Now, I know that in practice the more recent forfeitures, which would be, of course, the most exposed to danger of reassumption, are considered now the best titles to be purchased by Catholics. I know *that there is an impossibility at present in tracing out the persons who, if there were a resumption, would have what would be considered legitimate title to those forfeited estates, even the most recent, or so great a difficulty as to amount, in any one case, in my judgment, to an impossibility; but take three, or four, or five cases, I would venture to assert, and I do assert it, to amount to an impossibility. The forfeited estates are now constituted the properties of the Roman Catholics. I do not know a Roman Catholic who ever purchased anything but a portion of a forfeited estate, forfeited either by the Church or by private individuals; so that I can state with confidence to the Committee, that*

all the estates which Catholics have purchased since 1778, have been forfeited estates.”

“ I mention these instances to show that the Catholic gentry are all interested in maintaining the present system of property—that the Catholic farmers are all interested in maintaining the present state of property that is derived under the Acts of Settlement, and those patents ; and I would venture to assert that there is nothing that would be so likely to create a civil war in Ireland among the Roman Catholics, as any attempt to alter the Acts of Settlement, or look for the old heirs or successors to those properties—all the intelligence of the Catholics of the country—all its moral vigour, would certainly take as strong a part as prudence or conscience permitted them, to oppose such an alteration.

“ *Question.* You state that it would be totally impossible to trace any persons who were entitled to landed property, among the laity. What objection would there be to the Church setting forward her old rights ; the Church having a perpetual succession and perpetual descent, and claiming the Abbey and Church lands which have been forfeited.

“ *Answer.* That Catholics would resist that precisely as much as any others would. An immense number of Catholics on the estate of the Earl of Limerick would, to my knowledge, resist it most strenuously.

Question. You do not conceive that there would be any danger of the Roman Catholic Church

reclaiming those lands, the Church having perpetual succession?

Answer. To my knowledge, not the least, and no Protestant would resist it more strenuously, to the loss of life, than the Catholics would. *We know that in point of religion the title is now gone out of the Church; could not be re-assumed without the law of Ireland giving it again to the Church; and the making of that law we would resist, feeling, as conscientious Catholics, that the land is ours."*

All this evidence, coming from an eminent lawyer and political leader, is deserving the serious consideration of the new association having the destruction of the Church for its object. I also venture to think it will influence the conduct of the Roman Catholic nobility and gentry when read and understood.

I summon next the Right Hon. A. R. Blake, afterwards a Commissioner of National Education, and a Roman Catholic gentleman:

"I should not wish to see any settlement of the Catholic question effected, *in which the rights of the Established Church were not preserved*; I gave expression to the same feeling when I was examined before the Committee of the House of Lords. I think what I stated there in substance was, that I should not be favourable to any settlement, or that I should object to any settlement

which went to *disturb the Protestant Establishment*; that I considered it a main link in the connection between Great Britain and Ireland; and that with that connection I was satisfied the interests of Ireland were essentially identified. I understand it has since been imputed to me, that in uttering this sentiment, I indulged in a peculiar latitude of expression, in order to make a show of liberality.

* * * * * * * *

The Protestant Church is rooted in the constitution; it is established by the fundamental laws of the realm; it is rendered, as far as the most solemn acts of the legislature can render any institution, fundamental and perpetual; it is so declared by the Act of Union between Great Britain and Ireland. I think *it could not now be disturbed, without danger to the general securities we possess, for liberty, property, and order; without danger to all the blessings which we derive from being under a lawful government and a free constitution.* Feeling thus, the very conscience which dictates to me a determined adherence to the Roman Catholic religion, would dictate to me a determined resistance to any attempt at subverting the Protestant Establishment, or wresting from the Church the possessions which the law has given to it. There are, no doubt, persons capable of taking up liberal principles to effect one object, and of laying them down to effect another; such persons can indulge themselves in a latitude of expression for any purpose, but I am not one of them.

“ *Question.* The Committee cannot, of course, have any doubt as to your sentiments ; they have never entertained any doubt of their perfect sincerity ; have you found that similar sentiments prevailed among other well educated Roman Catholic gentlemen ?

“ *Answer.* I have ; I have read the very evidence in question to other Roman Catholics, and I never found one that expressed the least dissent from it. I should say further, that my evidence has attracted a good deal of notice. I have been spoken to upon it by many, many Roman Catholics, and I never heard the slightest objection made by any one to the feelings I expressed to the Established Church ; *my conversations, too, have been as well with Roman Catholic clergymen, as with Roman Catholic laymen ;* at the same time I must add, that if I had heard objections to what I had expressed, those objections would not have induced me to alter my view of the subject. I beg further to say, that I did not express those feelings for the first time when I stated them here ; I have entertained them since I have been able to form an opinion on this, or I may say on any political subject, and I have expressed them whenever the subject has been under discussion, and I have had an opportunity of expressing an opinion upon it.”

The next important piece of evidence is the examination of Dr. Nicholas Slevin, Professor of Canon Law in Maynooth, before

the Commissioners of Education. We find in the Appendix to the 8th Report of Commissioners of Irish Education this important evidence, of which the following are extracts:

“ Question. Do you not conceive, that the transfer of the property, formerly belonging to the Roman Catholic Church, which had taken place to the Protestant Church, is now to be considered a lawful transfer ?

“ Answer. I consider that it is now a lawful transfer, and has been such for many years. It would not be an easy matter to point out the period precisely when it became a lawful transfer; but I may state, in general, that the transfer became lawful, when the possessors of Church property could not be molested in their possession, without disturbing the public peace and tranquillity, and the security of property in the country. We consider, indeed, that the spoliation of our Church, in the commencement, was unjust, but we also consider, that by lapse of years, like other usurpations, that also has been sanctified by time, or that period of time is what I have already pointed out, that is, when the possessors could not be molested in their possession of it, without endangering the welfare, and shaking the very foundation of the State.

“ Question. Do you consider that, inasmuch as the property, which formerly belonged to the Roman Catholic Church, has been transferred

for more than two centuries to the Protestant Church, and as the Catholics have submitted to that transfer, and have sworn, and do swear, to maintain the settlement of property in this country, that the Established Church is now, to all intents and purposes, the legal owner of that property?

“*Answer.* I consider that the present possessors of Church property in Ireland, of whatsoever description they may be, have a just title to it on various grounds: 1st, on the ground of a lawful transfer made by the government of the country; for although, as I mentioned, Catholics may consider the original transfer to have been unjust, still they all must, and do allow, that in the course of time the transfer, sanctioned by the government, became lawful; that is, when it became necessary, for the public welfare, to confirm the rights of the actual possessors of Church property; 2ndly, on the ground that they have been *bonâ fide* for all the time required by *any* law for prescription, even according to the pretensions of the Court of Rome, which requires a hundred years. I consider they have possessed said property *bonâ fide*, because their right was founded on a title acquired from a lawful government, a title of whose validity they entertained no doubt; 3rdly, on the principle that those who might be *supposed to have any claim to it, have repeatedly, and in the most positive manner, declared, that they freely cede any right which they*

might have, or might be thought to have to the same ; this cessation, or rather declaration that they have no claim, is expressed in the oath of allegiance, which is taken by the Catholics in general in this country, and in particular by many of our Bishops and Clergy, who never decline it when proposed to them ; now those in this country who might be supposed to have any claim to the Church property, would be, according to the principles of Canon Law, the bishops and clergy of the country ; THEN AS THEY HAVE RENOUNCED IN THE MOST POSITIVE MANNER, AND EVEN ON OATH, ALL SUCH CLAIMS, IT FOLLOWS THAT THE PRESENT POSSESSORS HAVE A JUST RIGHT TO THAT PROPERTY, EVEN ON THE GROUND OF THE EXPRESS CONSENT OF THOSE WHO MIGHT HAVE ANY PRETENSION TO IT. It therefore appears that the present possessors of Church property *in Ireland, have a just title to the same, on all the principles laid down by the Pope, in the rescript before us ; 1st, by lawful transfer made by the government ; 2nd, by lawful prescription ; and 3rdly, by the consent of those who might have any claim to it ; those are the three principles on which the Pope discusses in the rescript, the right of the Antibarbarians.*

“ *Question.* The question remains how far those positions are reconcileable with the Canon Law ; do you think they are reconcileable ?

“ *Answer.* Most certainly, they are perfectly reconcileable to the principles of Canon Law, as they are understood all over the Catholic world.

“*Question.* And with this rescript in particular?

“*Answer.* Most assuredly; for, as I have repeatedly mentioned, they are the principles on which the Pope examines the title which the inhabitants of Antibaris might possess to the Church property in question. For first, the Pope examines their title on the principle of war or right of conquest. He declares, as his opinion, that the purchasers at Antibaris did not acquire a title on this ground, because the war was unjust. Secondly, he examines their title on the ground of presumed assent on the part of the former owners. He gives it as his opinion, that such assent cannot be presumed, where there is question of immovable property; and, therefore, that the purchasers at Antibaris did not acquire a right on this ground of presumed assent. He again examines the title on the ground of dereliction. He declares, as his opinion, that the property in question could not be considered as abandoned, and hence that the purchasers did not acquire a title on this ground. He also denies that they acquired a right by prescription, because they were not *bonâ fide* possessors. Now, on three of these grounds, as I have stated, the present holders of Church property in Ireland hold their title; therefore, according to the principles set down or supposed by the Pope, in the rescript before us, the present possessors of Church property in Ireland hold it by a just title.”

I advert to this evidence, because the witness being a Professor of Canon Law in Maynooth, was peculiarly qualified to give an opinion upon such a subject as that under consideration. His studies, his character, his situation in the College in which the clergy of the Church of Rome are instructed, made his evidence of incalculable value. But I guard myself from the imputation of admitting that our rights of property could or ought to be decided by the Canon Law. To the members of his Church the evidence of Dr. Slevin should be conclusive. We have abundant law of our own, to maintain the rights of the Church.

The Present Condition of the Church in Ireland.

I cannot conclude my address without drawing your attention to the book published by Earl Russell on the British Constitution. The edition from which I quote was published in 1865, and in this book the noble Earl, for the edification of his colleagues, the Parliament and the nation, thinks fit to give the following statistical account of the condition and revenues of the Irish Church. It amazes me to find a distinguished statesman so negligent of facts, or so ignorant of the real condition of the Church property in

Ireland. His purpose is to exhibit the influence of the Crown, arising from its vast patronage.

I now give you Earl Russell's words, I cannot call them his facts:—

“The Church of Ireland is still more richly endowed. There are in Ireland 4 archbishops and 18 bishops, whose united income is estimated at £185,700 a year. The Bishop of Derry has £15,000 a year; the Bishop of Elphin £12,000; the Bishop of Raphoe £10,000; and none are under £4000 a year. But besides this acknowledged income, the revenue the Irish bishops draw from fines is enormous; their landed property is immense; leases are for twenty-one years, and fines are taken every seven, or even every three years, thus becoming a kind of triennial rents. Mr. Wakefield calculates that the estates of the following sees would, if fairly let, bring the undermentioned sums:—The primacy of Armagh, £140,000 a year; the see of Derry, £120,000; the see of Kilmore, £100,000; the see of Clogher, £100,000; the see of Waterford, £70,000. The patronage is extremely valuable. In the bishopric of Cloyne, one living is worth £3,000 a year, one £2,000, one £1,800, and six from £1,500 to £1,200; the whole of the livings in the gift of the Bishop of Cloyne are valued at £50,000 a year. There are about 1,300

benefices in Ireland, upwards of 200 of which are in the gift of the Crown."

Without comment I subjoin the real account of the property of the bishops, and of the value of livings, which would have been as accessible to Earl Russell, had he sought for them, as they have been to me:—

(1) There are 2 archbishoprics—Armagh and Dublin—and 10 bishoprics—Meath, Derry, Down, Kilmore, Tuam, Ossory, Cashel, Cork, Killaloe, Limerick. The rest were confiscated by 3 & 4 W. IV., c. 37, 32 *years ago*.

(2) Their united income is £59,925 19s. 1d. per annum, without deducting tax payable under 3 & 4 W. IV., c. 37, to the Ecclesiastical Commissioners for Ireland, and £55,110 2s. 9d., after deducting said tax.

Parliamentary Paper, No. 267.—See return to House of Commons, p. 82, made by the Ecclesiastical Commissioners, and ordered to be printed, 4th May, 1864.

(3) The Bishop of Derry has £5,939 3s. 0d. a year, after deducting the tax. Including renewal fines, £6,160 a year is payable out of the *gross* income, under 3 & 4 W. IV. c. 37, s. 54, to the Ecclesiastical Commissioners.

(4) The temporalities of the bishoprics of Elphin and Raphoe have been vested in Ecclesiastical Commissioners for many years, and amount to—

Elphin, <i>gross</i> amount, including average of						
fines	...	...	...	...	...	£6,878 5 8
Raphoe	do.			do.		5,647 8 4

(5) The income of Bishop of Meath, after deducting tax to the Ecclesiastical Commissioners (which goes in lieu of church-rates), is £3,664 16s. 4d. a year; of Bishop of Down, £3,524 10s. 11d.; Bishop of Ferns (Ossory), £3,867 9s. 6d.; Bishop of Limerick, £3,961 14s. 9d.; Bishop of Killaloe, £3,261; Bishop of Cloyne (Cork), £2,304 3s. 3d. (*i.e.* 6 bishoprics out of 10 are under £4,000 a year).

(6) The gross income of the primacy of Armagh, including renewal fines, is £15,758 2s. 8d., out of which £4,500 a year

is payable to Ecclesiastical Commissioners, under 3 & 4 W. IV., c. 37, s. 54, and £1,164 19s. 2d. additional, payable to them for tax, leaving after these deductions required by law a net income of £8,328 3s. 6d.

(7) The gross value of see of Derry is £13,628 11s. 0d., out of which there is payable, as before stated, to the Ecclesiastical Commissioners £6,160, in addition to £665 2s. 0d. tax; and net value, after deductions, is £5,939 3s. 0d.

(8) The *gross* value of see of Kilmore is £6,851 6s. 1d.; the net value, after legal deductions and tax, is £5,246 17s.

(9) The *gross* value of see of Clogher, of which the temporalities have for many years been vested in the Ecclesiastical Commissioners, is £9,776 16s. 0d., including both rents and renewal fines.

(10) Temporalities of see of Waterford and Lismore, also vested in Ecclesiastical Commissioners. Gross value £4,899 18s. 0d., including average receipts from Knockmahon mines for last 3 years.

(11) There are 80 benefices in the diocese of Cloyne; the net value of the whole is £24,385 16s. 8d. a year; of these 21 are in lay patronage.

There are only 7 benefices of the 80 which exceed the net value of £500 a year, viz.:—

1 Donoughmore Prebend	£661	16	9
2 Inniscarra Prebend ...	580	6	9
3 Brigone Prebend ...	601	8	0
4 Garrycloyne ...	806	11	11
5 Kilworth ...	515	16	4
6 Rathcormack (<i>lay patronage</i>)	521	8	5
7 Mogeeshah ...	510	11	0

There is only one living in Cloyne which is over £1,000 a year *gross* (*Garrycloyne*), of which, after paying curate and other legal deductions, the net income is as above.

(12) There are 1,510 benefices in Ireland, of which there are

276 under £100 a year.	Average	£79	11	9
196 over 100 and under £150	...	120	2	1
157 over 150 and under 200	...	174	18	7
426 over 200 and under 300	...	256	15	5

						Average.		
226	over	300	and under	400	... „	344	0	4
96	over	400	and under	500	... „	442	0	3
61	over	500	and under	600	.. „	843	0	0
72	including deaneries and dignities,				} „	816	17	1
	over	600	...	...				

Average of net value of 1,510 benefices 261 3 6

With respect to the tithe rent-charge which is paid by the landed property in Ireland, I do not believe that more than one-tenth part of that property is in the hands of Roman Catholic proprietors.

Why is Ireland selected as the ground of attack? It is answered because the position of the Establishment is not satisfactory. But the position of the Establishment in Wales is not satisfactory; nor in London, nor in many parts of England. There are 14 counties in England in which the *non-worshipping* population exceed the whole number of Roman Catholics in Ireland. Is that fact an argument against the Church? This, therefore, is an *Imperial* question—not merely *Irish*—and it is an English political assault by a party *wanting a programme*. There would be no ground of attack but from the fact that in some benefices, the numbers of the Protestant parishioners *are few*. That is the case in many benefices in England. Ireland is mainly agricultural, and in many benefices the people are thinly scattered over a large area.

But if we take the *rural* benefices only, the averages are as follows:—

In England,	-	-	387	} of Members of the Church.
In Ireland,	-	-	376	
In Wales,	-	-	248	
The average income in England is				- - £285
" " Ireland,				- - £210

In Ireland there are 1,510 benefices, total net rental £394,374 9s. 7d. for the income of the beneficed clergy, which income would not build one iron-clad screw steamer. For one that is over-paid, there are many that are under-paid. The remedy cannot be in spoliation.

The Church has now but a fragment of the property that belonged to it. A large portion has gone into the hands of the laity. Is that to be resumed? Even since 1834 there has been a diminution in the property of the Church *to the extent of 32 per cent.* In 1854 Mr. Justice Shee brought forward his plan of redistribution. His scale for the Church cannot be supposed to be excessive. It was prepared on the assumption of a smaller Protestant population than is now conceded. Yet the available property of the Church, as then officially ascertained, was deficient by nearly £80,000 per annum, in supplying what Mr. Justice Shee was prepared to concede to the Protestants for the Establishment. The 13th

chapter of Archdeacon Stopford's reply to Sergeant Shee, establishes the same highly significant result. That is conclusive to shew that if an Establishment be allowed at all, the only question is—whether there can be a more beneficial distribution of any part of the Church property. *No other question is consistent with the treaty of Union.* But this movement aims at *spoliation*, i.e., to increase, not to remedy the difficulty in Ireland.

Where the numbers of Protestants are few and scattered, *THEY are dependent altogether on the parochial system.* To them it is *vital* to maintain that system, and where absenteeism prevails, the Protestant Rector is a centre of social benefit to the people at large—a help to loyalty and civilization.

What ratio of numbers can be fixed, that may not be applied afterwards to England and Wales? *In England there are upwards of 4,000 rural benefices, with a Church population under 300.* The scheme, therefore, of limiting an Establishment to a particular number of Churchmen, would be fatal to its existence alike in many parts of England and Wales. The new agitation will revive the bitterest religious animosities, and hinder all hope of social improvement in Ireland, and all that for the purposes of a party programme for the new combination in England. In

the population question, it is to be observed that RELATIVELY, the Church has *gained* since 1834.

Economic causes are now favourable to Protestantism, and more likely than before to cause emigration rather of the class who cannot battle with the difficulties of our *transition state*. Agriculture requires more energy, more skill, more capital, than heretofore. Small farmers and the cottier system are going out, and a different class of farmers must succeed them.

See how the Church has improved her position *since* the year 1730. I take the following table from the appendix to the useful pamphlet published by the Rev. Alfred Lee, entitled "Facts Respecting the Present State of the Church in Ireland."

"Progressive increase in number of Clergy and Churches in Ireland from 1730 to 1863.

A.D.		CLERGY.		CHURCHES.
1730	...	800	...	400
1806	...	1,253	...	688
1829	...	1,950	...	1,307
1863	...	2,281	...	1,633

Cathedral restoration has been effected by the liberality of the laity and clergy, in Armagh, Dublin, Kilkenny, Tuam, Cork. As to West Connaught, there were 25 years ago, 13 congregations, 11 clergymen, 7

churches. At present there are 57 congregations, 35 clergymen, 30 churches.*

Here is a comparison of 94 *parishes* in the diocese of Meath in 1750, 1760, and 1865:—

	THEN.	NOW.
Churches, ...	72	94
Glebe Houses, ...	20	80
Resident Incumbents,	28!!!	86
Non-Resident do.,	66!!!	8

VOLUNTARY SUBSCRIPTIONS.

Sums paid to the Treasurer of the Ecclesiastical Commissioners for Ireland, from voluntary subscriptions, towards building, enlarging, and improving Churches for last ten years:—

1855	-	-	-	£11,175	14	11
1856	-	-	-	5,992	15	1
1857	-	-	-	3,593	9	6
1858	-	-	-	8,792	2	2
1859	-	-	-	12,801	11	0
1860	-	-	-	7,374	2	11
1861	-	-	-	13,272	15	4
1862	-	-	-	14,842	2	8
1863	-	-	-	12,516	7	5
1864	-	-	-	10,764	3	1
				£101,125	4	1

* *Vide* the admirable pamphlet by the Rev. W. C. Plunket, entitled "The Church and the Census."

NOTE.—In 1857 £14,276 was tendered in various sums, but the Board would not avail themselves of it. (See Report, p. 3.)

CHURCHES IN IRELAND.

Of the 1,500 churches now in Ireland, there have been 955 built or rebuilt since the Union, in 1800 ; and there are 35 more now in progress.

The number of *enlargements*, since 1848, as given by the return to the House of Lords in

May, 1864, was	-	-	248
----------------	---	---	-----

Since finished	-	-	21
----------------	---	---	----

Now in progress	-	-	24
-----------------	---	---	----

Total Enlargement	-	-	293
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EXTRACT FROM RETURN MADE TO THE HOUSE OF LORDS BY THE ECCLESIASTICAL COMMISSIONERS FOR IRELAND, MAY, 1864 :—

“There have been 248 churches in Ireland enlarged since January, 1848, including 67 churches which have been entirely rebuilt on a larger scale. In addition to these 248 enlarged churches there have been 47 new district parish churches erected where additional church accommodation was required, which could not be so conveniently provided by enlarging the existing churches. There are also 91 churches in which additional accommodation has been provided by alteration of pews and fittings.

“The whole number of cases in which addi-

tional accommodation has been supplied is therefore, 386.

“Additional accommodation has also been provided by the Ecclesiastical Commissioners for Ireland, under the powers given to them in 1860, by 23 and 24 Vic., c. 150, by the erection or enlargement of 42 licensed places of worship, in cases where the existing state of the funds at the disposal of the Commissioners rendered it impracticable to build churches.

“The Ecclesiastical Commissioners have received since January, 1848, voluntary private subscriptions towards the enlargement and improvement of the above churches, amounting to £78,120 1s. 5d., but are unable to distinguish exactly how much of such subscriptions was paid on account of enlargement only.

“NOTE.—The above includes the cases at present in course of construction.”

PLURALITIES IN IRELAND.

“The number of pluralities held by the clergy in Ireland, at the time when the Church Temporalities Act was passed, in 1833, was 207, of which there were in the province of Armagh, 91, and in the province of Dublin, 116.

“The number of pluralities so held at the present time in Ireland is 17, of which there are in the province of Armagh 4, and in the province of Dublin 13.”*

* The foregoing information is derived from official papers of the Ecclesiastical Commissioners.

The population question, the Census, the difference between civil parishes and benefices of the Church, and the unfair inferences as regards the status of the Church, drawn therefrom by the Census Commissioners, have been discussed thoroughly by the Primate in his recently published charge to the clergy of Armagh.

The gross population of parishes has been reckoned in England under a Census, in order to ascertain how many *individuals* are in a benefice, while under the same table the disgracefully unfair principle has been adopted in Ireland of reckoning only *Episcopalians*. Thus it is made to appear that there are 194 benefices in Ireland which have 300 *Churchmen* and under, while there are 2,469 in England which have 300 and under, *of population of all creeds*. If the Church worshippers merely be reckoned in England, it would appear that at least 4,000 rural benefices have not 300 Church worshippers therein; and if all benefices so situated are to be swept away in Ireland, where there are but 1,500 benefices altogether, how can the 4,000 benefices similarly situated escape the same fate in England?

It would be an evil day for mankind if systems of government or Churches depended upon a majority told by the head. All men

are not equal; they differ in education—intellect—capital—industry. The majority in Ireland against Protestantism, according to the results of the Irish Census published by the Rev. A. Hume, consists of the peasant class, the small farmers (a rapidly diminishing class), and petty tradesmen and artizans of an inferior order; whereas in all the great professions—in all intellectual employments, in the possession and improvement of land, in the flax and linen manufacture, in the class of skilled artizans—the Protestants are in the majority.

Moreover, it is a strange perversion of the laws of political economy to argue against the success of Protestantism in Ireland, because Protestants preserved a high standard of civilization in the country, and by superior industry and prudence did not multiply in wretchedness, and sink to the level of the Celt in his cabin. If the poets, orators, scholars, generals, statesmen—if the order to which Burke and Wellington belonged form any part of the nation, assuredly the Protestants must be considered as a great constituent part of the Irish nation.

Amongst the educated intellectual men must be reckoned the clergy of the Establishment, and the annihilation of such a body would be most mischievous to the country.

Moreover, to what purpose is their income to be applied, if, according to Mr. Gladstone, it should not be transferred from Munster and Connaught to Leinster and Ulster? And if it is to be withdrawn from the clergy of the Established Church in Munster and Connaught, is it to be appropriated in these provinces to the Church of Rome?

What is the social aspect of the question? Imagine the remedy proposed for the evils of Ireland: to expel two thousand educated clergymen, who teach the principles of the Protestant religion founded on the Scriptures. If you are to benefit Ireland, I ask men of all parties in this country, is that to be done by driving out two thousand educated men, who now reside and spend every shilling of their income in the country from which they receive it? Then we would have an absentee Monarchy, an absentee Parliament, an absentee Ministry, an absentee Aristocracy, and an absentee Church. I should like to know what there would then be in this country worth living for. It would be reduced to the condition of a great agricultural butter farm for England, but not a country in which Protestants would care to dwell. Democracy would then triumph over the constitution; democracy always aims at the overthrow of the Church, because democracy and the Church

are incompatible. Our rights have been proved by the historical narrative I have endeavoured to lay before you, by the laws of the country, by ancient charters, by long possession, by the Act of Settlement, by the Act of Union, by the Act of Emancipation, and by declarations and oaths accumulated one upon the other. If all these solemn records, charters, and evidences, do not establish our right and title to the property of the Church, nothing that can be devised by the wit of man can preserve it. Our duty to the state is loyalty, but a reciprocal duty is to be rendered by the state to us. And if the state allows the fundamental article of the Treaty of Union to be set aside, the remaining articles may also be set aside, and the Treaty may become wastepaper. Then would remain the very serious consideration to be entertained by us and our countrymen as to the course, in such a state of affairs, which it would be prudent and politic for us to take. I think we would then be perfectly at liberty to reconsider the terms of our connexion with England. The Protestants of Ireland are too numerous and too powerful to be cheated and insulted with impunity, if they are united, if they are awake to a sense of their danger—awake to the necessity of union, and, when the time may come, the necessity of action and of courage.

The Irish Church is first attacked, because it presents the most powerful defence of the Protestant religion in Ireland. If the Church falls, what sect of Protestantism in this country will stand? The grant to the Presbyterian body made by our Deliverer for great services would be swept away; and the courtesy of Polyphemus would be extended to the Church of Scotland—that is, it would be devoured last. Let me remind you of a touching incident in our history, by which we may profit. In that awful hour when our religion and liberties rested upon the heroism of the defenders of Londonderry, one-half of these defenders were Episcopalians, and the other half were Presbyterians. We read now with thrilling sensations, that when these brave men were emaciated by hunger and wasted by fatigue, they sustained their drooping courage and revived their failing energies by thronging nightly into the Cathedral, to hear Walker read the Scriptures and to receive immortal sustenance. The historian says, they drank in his earnest eloquence with delight, and went forth from the house of God with haggard faces and tottering steps, but with spirits unsubdued. They proved in the end victorious, because united and resolved. The destruction of our Church and liberties was sought then;

the destruction of our Church is threatened now, but in a different manner and by different means it is sought to be accomplished. By union, perseverance, and courage, the Church was saved then; by the exertion of the like qualities she will be saved now, and with her safety will be ensured the stability of our happy Constitution.

Subsequent to the delivery of these Lectures, the following letter appeared in the *Irish Times*:

“TO THE EDITOR OF THE IRISH TIMES.

“Committee Rooms, 7 Lower Ormond-quay,
“Dublin, 3rd May, 1865.

“SIR,—The *Irish Times* of this day contains an announcement that ‘the Established Church has been withdrawn from the programme of the National Association, and the questions to which it will confine its attention will be Tenant Right and Education.’

“I beg to inform you that there is no foundation for the above statement; that the intentions of the Association in relation to the Irish Church Establishment have undergone no modification; and that the gentlemen with whom rests the direction of the policy of the Association, are unanimous in the determination to have no compromise with the Establishment or its advocates, and to spare no effort for its overthrow.

“I remain, dear sir, your obedient servant,

“NICHOLAS C. WHYTE,

“Secretary, National Association.”

THE END.

TO BE HAD OF ANGUS MURRAY & Co., DUBLIN:

OR,

RIVINGTONS, WATERLOO-PLACE, LONDON; HIGH-STREET,
OXFORD, AND TRINITY-STREET, CAMBRIDGE,

THE LIFE AND DEATH
OF
THE IRISH PARLIAMENT.

BY

THE RIGHT HON. J. WHITESIDE, M.P.

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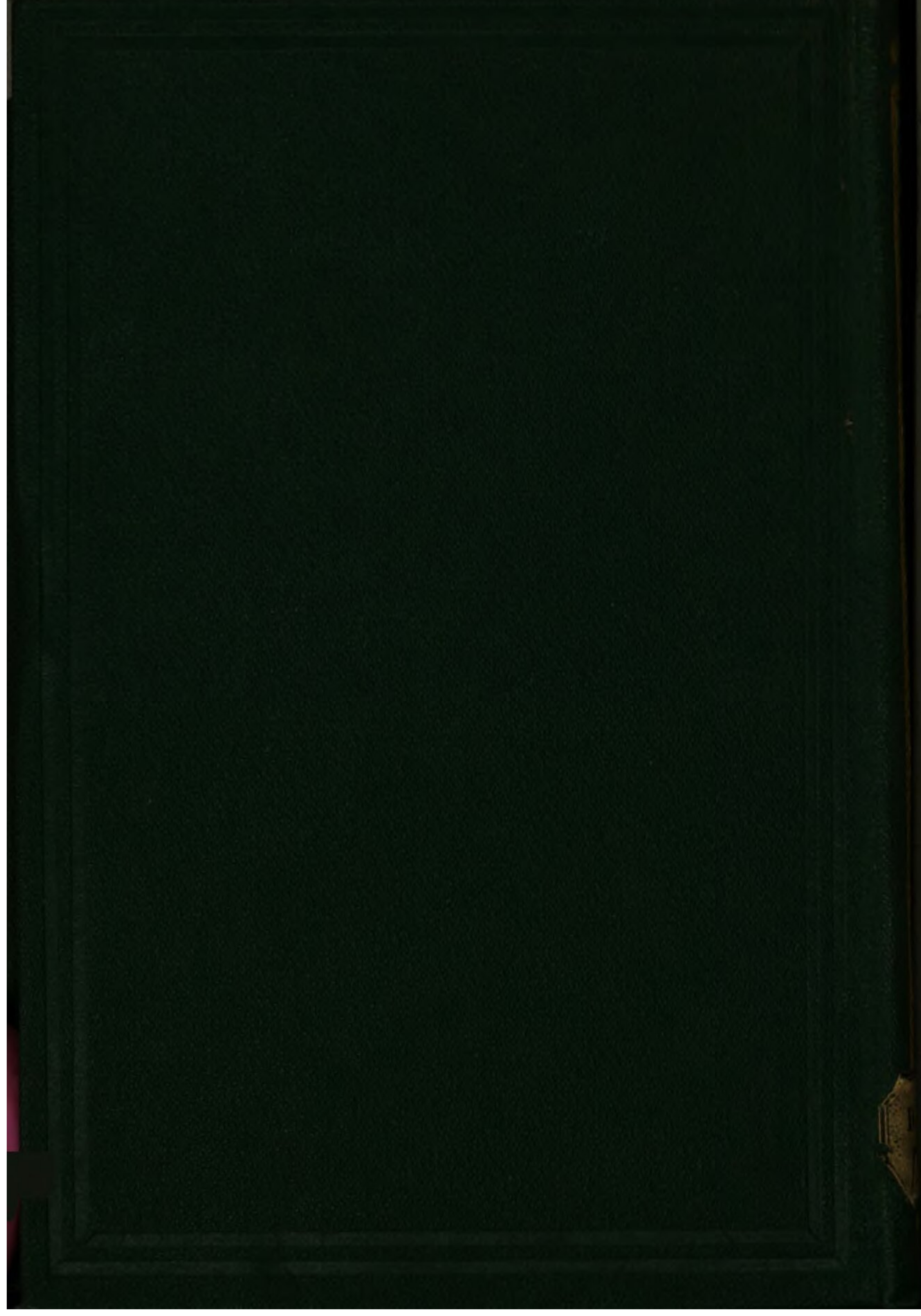
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Whiteside, James

The Church in Ireland Two lectures delivered in the Metropolitan Hall,
before the young men s Christian association, in connexion with the united
church of England and Ireland, on the 27th of April and 3rd of May, 1865

Dublin 1865

H.eccl. 1219 p

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